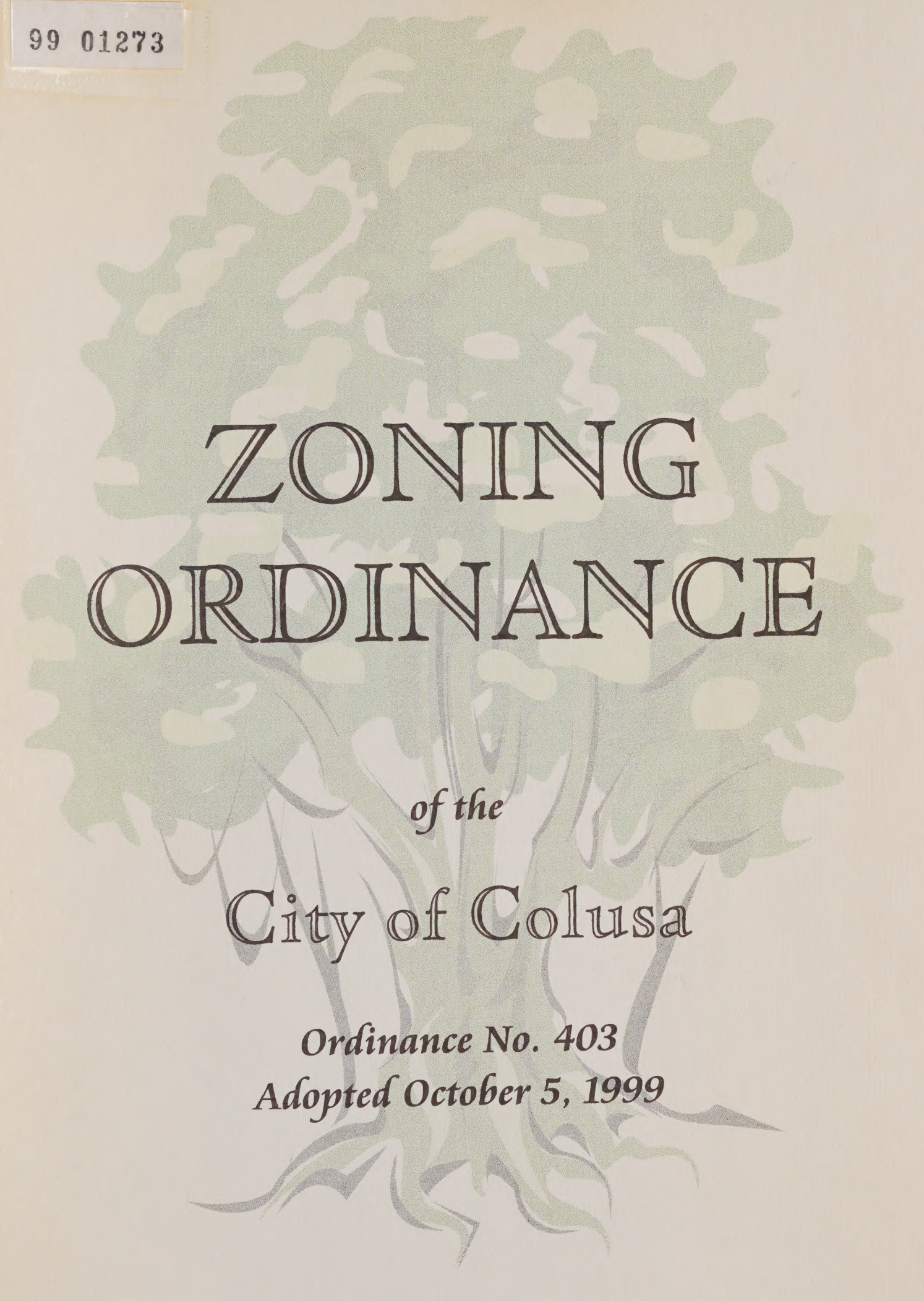




ZONING ORDINANCE

of the
City of Colusa

Ordinance No. 403
Adopted October 5, 1999



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ZONING ORDINANCE

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ORDINANCE NO. 403

AN ORDINANCE OF THE CITY OF COLUSA, STATE OF CALIFORNIA, ADOPTING ZONING REGULATIONS AND ESTABLISHING LAND USE ZONES AND REGULATIONS FOR THE USE OF LAND AND BUILDINGS

The City Council of the City of Colusa does ordain as follows:

ARTICLE 1 FINDINGS AND ADOPTION OF ZONING (DISTRICT) PLAN

Sec. 1.01 FINDINGS

The City of Colusa hereby makes the following findings:

A. Chapter 4, Title 7, commencing with section 65800, of the California Government Code provides for the adoption and administration of zoning laws, ordinances, rules and regulations by counties and cities as well as for the implementation of the general plan in effect in any such county or city. Said chapter requires county or city zoning ordinances to be consistent with the general plan. A zoning ordinance shall be consistent with a general plan only if a general plan has been adopted and the various land uses authorized by the ordinance are compatible with the objectives, policies, general land uses and programs specified in such a plan. In the event that a zoning ordinance becomes inconsistent with a general plan by reason of amendment to such a plan, or to any element of such a plan, the zoning ordinance shall be amended within a reasonable time so that it is consistent with the general plan as amended.

B. The City Council adopted the 1989 City of Colusa General Plan by Resolution #94-22 including all mandatory elements on October 4, 1994.

C. City of Colusa Ordinance No. 191, the Zoning Ordinance, adopted in 1966, has been amended in certain of its details from time to time but it has never been substantially revised despite changes made by the 1994 General Plan, despite developments in the fields of Planning, Zoning and Land Use regulation, and, despite changes in the economy, population, and land use patterns in the City of Colusa.

D. Accordingly, the City's Zoning Ordinance should be revised substantially to bring it into conformity with the City's General Plan, to reflect beneficial developments in the field of land use planning and planning law, and to accommodate changes brought about by recent developments in the City.

E. Further, this City Council deems it necessary, for the purpose of promoting the health, safety and general welfare of the City to revise the existing zoning ordinance, and in conjunction therewith to revise as necessary the number, shape and area of zoning districts

into which the incorporated areas of the City are divided, and to revise the regulations pertaining to such zoning districts in accordance with the adopted City of Colusa General Plan and the objectives contained therein.

Sec. 1.02 ADOPTION

There is hereby adopted a Zoning Ordinance for the City of Colusa, as provided by Section 65000 et. seq. of the Government Code of the State of California. This Ordinance constitutes a precise plan for the use of land in conformity with the adopted City of Colusa General Plan.

Sec. 1.03 SHORT TITLE

This ordinance shall be known and cited as the "Zoning Ordinance of the City of Colusa." In any administrative action taken by any public official under the authority set forth in the ordinance the use of the term "zoning ordinance," unless further modified shall also refer to and mean this ordinance.

Sec. 1.04 PURPOSE OF THE PLAN

The plan is adopted to provide reasonable protective regulations designed to promote and protect the public health, safety, peace, morals, comfort, convenience and general welfare, and:

A. To protect the established character and the social and economic stability of agricultural, residential, commercial, industrial and other types of improved areas, and

B. To assist in providing a definite comprehensive plan for sound and orderly development, and to guide and regulate such development in accordance with the General Plan and the objectives and standards set forth therein.

Sec. 1.05 EFFECT OF THE PLAN

The Zoning Plan consists of the establishment of various districts within same, all of which shall it be lawful, and within same, all or none of which it shall be unlawful to erect, construct, alter, move, locate or maintain certain buildings or to carry on certain trades or occupations or to conduct certain uses of land or buildings; within which the heights and bulk of future buildings, shall be limited; within which certain open spaces shall be required about future buildings and consisting further of appropriate additional regulations to be enforced in such districts, all as set forth in this Ordinance.

Sec. 1.06 APPLICATION

The Zoning Plan is intended to apply to all private, public, quasi-public, institutional, and public utility properties and all other lands, buildings and structures within the incorporated area of the City of Colusa.

ARTICLE 2

DESIGNATION OF DISTRICTS

Sec. 2.01 ZONING DISTRICTS

The several classes of general districts hereby established and into which the City is or may be divided are designated as follows:

- R-1 Single-family Residence District**
- R-2 Two-family Residence District**
- R-3 Neighborhood Apartment District**
- R-4 General Apartment District**
- C-N Neighborhood Business District**
- C-G General Commercial District**
- C-H Highway Service Commercial District**
- M-1 Light Industrial District**
- M-2 General Industrial District**
- M-L Limited Industrial District**
- P-D Planned Development District**
- P-F Public Facilities District**
- O-S Open Space District**
- F-W Floodway District**

Sec. 2.02 SPECIAL COMBINING DISTRICTS

In any General Zoning District which is combined with one of the following Special Combining Districts and regulations of said Combining District shall apply in addition to those hereinbefore specified for such Zoning District:

- A Agricultural Combining District**
- B Special Building Site Combining District**
- CD Special Civic District Combining District**
- F Special Highway Frontage Combining District**
- FP Flood Plain Combining District**
- H Special Height Combining District**
- P Special Parking Combining District**
- O Special Divided Ownership District**
- AO Special Adult-Oriented Combining District**

ARTICLE 3 ESTABLISHMENT OF DISTRICTS

Sec. 3.01

The classes of districts and certain combinations thereof as designated in Article 2, and the regulations pertaining thereto are hereby applied to the land areas of the City, as delineated on the "Zoning Map of the City of Colusa," attached hereto and made a part of this Ordinance and the land areas designated thereon shall be subject to the provisions and regulations of this Ordinance. Said Zoning Map, together with all notations, references and other information shown thereon shall be as much a part of this Ordinance as if the matters and information set forth by said map were all fully described herein.

Sec. 3.02

Where uncertainty exists as to the boundaries of any of the aforesaid districts on the Zoning Map, the following rules shall apply:

A. Lands not included within the boundaries of any districts on the Zoning Map shall constitute R-1 Districts, and lands hereafter annexed to the City shall constitute R-1 Districts unless or until classified otherwise by interim ordinance or by amendment of the Zoning Map.

B. Where district boundaries are indicated as approximately following street and alley lines, such street and alley lines shall be construed to be such boundaries.

C. Where district boundaries are indicated as approximately following lot lines, such lot lines shall be construed to be such boundaries.

D. In case further uncertainty exists, the Planning Director, upon written application, or upon his/her initiative, shall determine the location of such boundaries.

Sec. 3.03

Amendments to the City of Colusa Zoning Map referred to in this Article shall be consecutively numbered subsections hereof.

ARTICLE 4 DEFINITIONS

INTERPRETATION:

Unless the context otherwise requires, the definitions set forth or otherwise provided for in this article shall be used in the interpretation and construction of this ordinance. Words used in the present tense include the future; the singular number includes the plural, and the plural the singular; the word "building" includes the word "structure", and the word "used" includes "arranged, designed, constructed, altered, converted, rented, leased or intended to be used," and the word "shall" is mandatory and not directory.

GOVERNMENTAL UNITS:

"City" means the City of Colusa, "City Council" means the City Council of the City of Colusa, "Planning Commission" means the City Planning Commission, "Administrator" or "Director" means the Director of the City of Colusa Planning Department.

DEFINITIONS:

A list of definitions, entitled "Definitions of the Zoning Ordinance of the City of Colusa," shall be used in the interpretation and construction of this ordinance. Unless the context requires otherwise, the definitions in this section shall govern the construction of the provisions of this title.

Sec. 4.01 "Abandonment": The relinquishment of property, or a cessation of the use of the property, by the owner with the intention neither of transferring rights to the property to another owner nor of resuming the use of the property.

Sec. 4.02 "Abut": To physically touch or border upon; or to share a common property line. For example, two (2) adjoining lots with a common property line are considered to be abutting.

Sec. 4.03 "Access Way": The place, means or way by which pedestrians and vehicles have safe, adequate and usable ingress and egress to a property or use as required by this title.

Sec. 4.04 "Accessory Building": A building incidental or subordinate to the main or principal building on the same lot.

Sec 4.05 "Accessory Use": A use of building incidental or subordinate to the principal use or building on the same lot.

Sec. 4.06 "Adjusted Gross Floor Area": When used to calculate off street parking, gross floor area less the aggregate area devoted to indivisible public access ways (such as

corridors, elevators and foyers) and other similar such uses which do not, as a practical matter, result in higher building occupancy.

Sec. 4.07 “Advertising Structure”: A structure of any kind or character erected or maintained for outdoor advertising purposes, upon which any poster, bill printing, painting or other advertisement of any kind whatsoever may be placed, including statuary, for the purpose of advertising the business or activity of the premises, but shall not include official notices issued by any court, public body or officer, or notices posted by any public officer in the performance of a public duty.

Sec. 4.08 “Alley”: A public or permanent private way or lane less than forty (40) feet in width that affords a secondary means of access to abutting property.

Sec. 4.09 “Animal Raising, Domestic”: The keeping of any animals within the standards established in this Ordinance for domestic animal raising including but not limited to household pets, club project animals, apiaries, aviaries, fowl, rabbits, or hooved animals.

Sec. 4.10 “Apartment House”: Any building or portion thereof which is designed and built for occupancy by three or more families.

Sec. 4.11 “Automobile Wrecking”: The dismantling or wrecking of used motor vehicles or trailers, or the storage, sale or dumping of dismantled or wrecked vehicles or their parts.

Sec. 4.12 “Basement”: A space partly or wholly underground, and having more than one-half its height, measured from its floor to its finished floor level directly above a basement that is more than six (6) feet above grade, at any point, such basement shall be considered a story.

Sec. 4.13 “Billboard”: Any sign which directs attention to a business, commodity, service or entertainment conducted, sold or offered elsewhere than on the premises, and only incidentally on the premises if at all.

Sec. 4.14 “Boarding House”: A dwelling where lodging and meals are provided for compensation for 4 or more persons. “Boarding House” does not include a residential care facility.

Sec. 4.15 “Building”: Any structure having a roof supported by columns and or walls and intended for the housing or shelter of any persons, animal or chattel.

Sec. 4.16 “Building Coverage”: The land area covered by all buildings on a lot, including all projections except eaves.

Sec. 4.17 “Building Height”: The vertical distance measured from the average level of the highest and lowest point of that portion of the lot covered by the building to the highest point of the roof, ridge or parapet wall.

Sec. 4.18 "Building, Main": A building within which is conducted the principal use permitted on the lot, as provided by this title.

Sec. 4.19 "Building Site": A lot or parcel of land, in single or joint ownership, and occupied or to be occupied by a main building and accessory buildings, or by a dwelling group and its accessory buildings, together with such open spaces as are required by the terms of this title and having its principal frontage on a street, road or highway.

Sec. 4.20 "Cemetery": Property used for the interring of the deceased.

Sec. 4.21 "Church": A permanently located building situated on property commonly used for religious worship.

Sec. 4.22 "City": The City of Colusa.

Sec. 4.23 "Clinic": A place for group medical services not involving overnight housing of patients.

Sec. 4.24 "Club": An association of persons (whether or not incorporated), religious or otherwise, for social purpose, but not including groups which are organized primarily to render a service carried on as a business for profit.

Sec. 4.25 "Combining District": Any district in which in addition to the permitted uses and regulations of the underlying or base district there is another permitted or combining use with special regulation attached thereto.

Sec. 4.26 "Planning Commission" or "Commission": The Planning Commission of the City appointed by the City Council as per resolution and/or State.

Sec. 4.27 "Conditional Use Permit": A permit issued stating that the conditional use must meet all conditions set forth in local ordinances and the approval process. Use Permits shall be processed as set forth in Article 33.

Sec. 4.28 "Condominium": An estate in real property consisting of an undivided interest in common in a portion of a parcel of real property together with a separate interest in space in a residential, industrial or commercial building on such real property, such as an apartment, office or store. A condominium may include in addition a separate interest in other portions of such real property. Such estate may, with respect to the duration of its enjoyment, be either: (1) An estate of inheritance or perpetual estate; (2) An estate for life; (3) An estate for years, such as a leasehold or a sublease hold.

Sec. 4.29 "Day Care Center": Any childcare facility other than a small or large day care home.

Sec. 4.30 "Day Care Home, Large": A residence for which the occupants regularly provide non-medical supervision for 7 to 12 children for a period of less than 24 hours per

day. "Children" includes the children of the licensee under the age of 12 and all other children under the age of 18.

Sec. 4.31 "Day Care Home, Small": A residence for which the occupants regularly provide non-medical supervision for 6 or fewer children, for a period of less than 24 hours per day. "Children" includes the children of the licensee under the age of 12 and all other children under the age of 18.

Sec. 4.32 "District": A land area shown or described in the land use zoning map to which uniform regulations apply.

Sec. 4.33 "Drive-in": An establishment which provides parking facilities and service to those facilities in order that patrons may utilize on-site goods and/or services without leaving their vehicles. Said drive-in service may be in conjunction with, or exclusive of, any other form of service, including drive-through or conventional seating.

Sec. 4.34 "Drive-through": An establishment which offers service via a convenience automobile drive aisle and associated facilities in order that patrons may utilize goods and/or service without leaving their vehicles. Said drive-through service may be in conjunction with, or exclusive of, any other form of service, including drive-in or conventional seating.

Sec. 4.35 "Driveway": An access way to a required off-street parking facility, driveway shall be paved to a minimum width of ten (10) feet and shall be open and unencumbered height of not less than eight (8) feet. It shall be safe and usable.

Sec. 4.36 "Dwelling": A building containing one or more dwelling units, each unit being designed and to be used only as the living quarters for one family, and each being a separate self-contained unit with bath room and kitchen facilities.

Sec. 4.37 "Dwelling Group": Two or more buildings on a single lot or parcel, each containing one or more dwelling units.

Sec. 4.38 "Dwelling, Multiple": A detached building designed and used for occupancy by three (3) or more families, all living independently of each other and having separate kitchen facilities for each family.

Sec. 4.39 "Dwelling, Single Family": A building containing or used to house not more than (1) family, including all necessary employees of such family, and having a kitchen facility for only one (1) family.

Sec. 4.40 "Dwelling, Two-family or Duplex": A building designed or used exclusively for the separate occupancy of two (2) families, living independently of each other and having separate kitchen facilities for each family.

Sec. 4.41 "Easement, Public": A space on a lot or parcel of land, and so indicated on a subdivision map or in a deed restriction reserved for or used for public utilities or public uses.

Sec. 4.42 "Family": An individual or two (2) or more persons related by blood, marriage or adoption, or a group of not more than six (6) persons, excluding servants who are not related by blood, marriage or adoption, living together as a single housekeeping unit in a dwelling unit.

Sec. 4.43 "Frontage, Lot": The line where a lot abuts on a dedicated street or highway right-of way line. Frontage is expressed in linear feet and is measured along such right-of-way line. Where a future street or highway right-of-way line has been established on the general plan or other official plan, frontage shall be measured along that line.

Sec. 4.44 "Garage" or "Carport": An accessible and usable covered space, either completely enclosed (garage) or open (carport) and not less than ten (10) feet by twenty (20) feet per space and used for vehicular and general storage purpose only. Such garage or carport is to be so located on the lot so as to meet the requirements of this title for an accessory building, or if attached to the main building, to meet all the requirements applicable to the main building.

Sec. 4.45 "Garage-Commercial": A building, other than a private garage, used for the parking, repair or servicing of motor vehicles.

Sec. 4.46 "Garage-Parking": A public garage designed and/or used on a commercial basis for the storage of vehicles.

Sec. 4.47 "Garage/Yard Sales": The sale of common household goods, primarily owned by the resident, and which use is permitted:

A. For a duration of not more than 3 consecutive days,

B. For no more than 6 times per year per residence and,

C. Produces no evidence of its existence upon or beyond the premises such as external alteration creating non-residential or unsightly appearance of a structure, noise, smoke, odors, vibrations, etc.

Sec. 4.48 "General Plan": The latest adopted General Plan for the City.

Sec. 4.49 "Gross Floor Area": The sum of the gross horizontal areas of the several floors of the building excluding areas used for accessory garage purposes and such basement and cellar areas as are devoted exclusively to uses accessory to the operation of the building. All horizontal dimensions shall be taken from the exterior faces of walls including walls or other enclosures of enclosed porches. Whenever the term "Gross floor area" is used in this title as a basis for requiring off-street parking for any structure, it shall

be assumed that, unless otherwise stated, such floor area applies not only to the ground floor area but also to any additional stories or basement of such structure.

Sec. 4.50 "Helicopter Pad": Land improved and intended to be used for the landing and taking off of helicopters or vehicle flying aircraft.

Sec. 4.51 "Home Occupation": Any use customarily carried on within a dwelling by the inhabitants thereof which use is incidental to the residential use of the dwelling, and which use:

A. Is confined completely within a legal structure and occupies not more than 25% of the floor space of a dwelling or 50% of that of an accessory building.

B. Involves no sales of merchandise other than that produced on the premises, or directly related to and incidental to the services offered.

C. Is carried on by the members of the family occupying the dwelling with no other persons employed.

D. Produces no evidence of its existence upon or beyond the premises such as external alteration creating non-residential or unsightly appearance of a structure, noise, smoke, odors, vibrations, etc. except one sign not to exceed two (2) square feet in area and pertaining directly to the particular home occupation.

Sec. 4.52 "Hospital": Any building or portion thereof used for the accommodation and medical care of sick, injured, or infirm persons and includes sanitariums, alcoholic sanitariums and institutions for the cure of chronic drug addicts and mental patients.

Sec. 4.53 "Hospital, Animal or Veterinary Clinic": A place where animals or pets are given medical or surgical treatment and are cared for during the time of such treatment. Use as a kennel shall be only incidental to such hospital use.

Sec. 4.54 "Hotel": Any building or portion thereof, containing six or more guest rooms used or intended to be used, let or hired out to be occupied or which are occupied by six or more guests whether the compensation for hire be paid directly or indirectly in money, goods, wares, merchandise, labor or otherwise and shall include hotels, lodging and rooming houses, dormitories, Turkish baths, bachelor hotels, studio hotels, public and private clubs and any such building of any nature whatsoever so occupied, designed or intended to be so occupied, except jails, hospitals, asylums, sanitariums, orphanages, prisons, detention homes and similar buildings where human beings are housed or detained under legal restraint.

Sec. 4.55 "Junk Yard": Any area of 200 square feet or more used for the storage of junk or scrape materials, or for the wrecking or dismantling of automobiles or other vehicles or machinery. This definition includes "wrecking yards."

Sec. 4.56 "Kennel": Any lot or premises on which six (6) or more dogs, at least four (4) months of age, are kept, boarded or trained.

Sec. 4.57 “Loading Space”: An off-street space or berth on the same lot with a main building or contiguous to a group of buildings for the temporary parking of commercial vehicles while loading or unloading, and which shall abut a street, alley or other appropriate means of ingress and egress.

Sec. 4.58 “Lot”: A parcel of land individually assessed and used or capable of being used under the regulations of this ordinance, and including both the building site and all required yards and other open spaces and frontage as defined herein.

Sec. 4.59 “Lot, Corner”: A lot located at the intersection of two (2) or more streets at an angle of not more than one hundred twenty (120) degrees. If the angle is greater than one hundred twenty (120) degrees, it shall be considered an interior lot.

Sec. 4.60 “Lot Depth”: The average horizontal distance between the front and rear lot lines measured in the mean direction of the side lot lines. The depth of a cul-de-sac lot shall be measured at its narrowest point.

Sec. 4.61 “Lot, Interior”: A lot other than a corner lot.

Sec. 4.62 “Lot, Key”: Any lot where the rear lot line abuts the side lot line or one (1) or more other lots, and is not separated by an alley.

Sec. 4.63 “Lot, Through”: A lot having frontage on two (2) parallel or approximately parallel dedicated streets, not including a corner or reversed corner lot. The Commission shall determine which frontage or frontages shall be considered as the “lot front” or lot frontages for the purpose of compliance with yard and setback provisions of this title.

Sec. 4.64 “Lot Width”: The horizontal distance between the side lot lines measured at the required building setback line.

Sec. 4.65 “Manufactured Housing” (includes modular homes and mobile homes): A structure transportable in one or more sections, designed and equipped to contain not more than two dwelling units to be used with or without a foundation system. Manufactured Housing does not include a recreational vehicle, commercial coach, or camper, as defined by state law.

Sec. 4.66 “Mobile Home Park”: As used herein means a “Trailer Court,” or a “Travel Trailer Park,” each as defined in Chapter 5, Title 25, of the California Administrative Code.

Sec. 4.67 “Motel”: A group of two (2) or more detached or semi-detached buildings containing guest rooms or apartments with auto storage space serving such rooms or apartments provided in connection therewith, which group is designed and used primarily for the accommodations of transient automobile travelers.

Sec. 4.68 “Motor Vehicle”: A vehicle that is self-propelled. Motor vehicle includes motor home and camper unit mounted on a truck body.

Sec. 4.69 “Non-conforming Building”: A building or portion thereof lawfully existing on the effective date of this title, which was designated, erected or structurally altered for use which does not conform to the uses permitted in the zone in which it is located, or which does not comply with one or more of the property development standards of the zone in which it is located.

Sec. 4.70 “Non-conforming Use”: A use of a building or land existing on the effective date of this title which does not conform to the uses permitted in the zone in which it is located.

Sec. 4.71 “Open Uses”: Those uses which do not have to be associated with buildings or structures for the carrying on of their trade, service or activity, such as, but not limited to, automobile sales, contractor’s storage yards, and equipment rental yards.

Sec. 4.72 “Outdoor Advertising”: Any outdoor display of advertising material in any form upon any physical structure or natural object.

Sec. 4.73 “Parking Lot”: An area of land, a yard, or other open space on a lot used for or designed for use by standing motor vehicles.

Sec. 4.74 “Parking Space”: Space exclusively of driveways, ramps, columns, loading areas, office or work areas within a building or open parking area for the parking of vehicles. A parking space shall be accessible and usable for the parking and conform to the requirements of this title.

Sec. 4.75 “Rest Home”: Premises operated as a boarding home, and in which nursing, dietary and other personal services are furnished to convalescents, invalids, and aged persons. It does not include persons suffering from mental sickness, disease, disorder or ailment or from a contagious or communicable diseases are kept, and in which surgical or other primary treatments are performed, such as are customarily provided in sanitariums or hospitals or in which no persons are kept or served who normally would be admissible to a mental hospital.

Sec. 4.76 “Rezoning”: “Rezoning” means the same as “zone, change of.”

Sec. 4.77 “Second Unit”: An attached or a detached residential dwelling unit which provides complete independent living facilities for one or more persons. Said persons may be family members, students, the elderly, in-home health care providers or the disabled. The second unit shall include permanent provisions for living, sleeping, eating, cooking and sanitation on the same parcel as the main family dwelling is situated and shall comply with the following:

1. The unit is not intended for sale and may be rented.
2. The lot is zoned for single family or multifamily residential use.

3. The second unit is either attached to the existing dwelling and located within the living area of the existing dwelling or detached from the existing dwelling and located on the same lot as the existing dwelling.
4. The increased floor area of an attached second unit shall not exceed 30 percent of the existing living area.
5. The total area of floor space for a detached second unit shall not exceed 1200 square feet.
6. Requirements relating to height, setback, lot coverage, and other zoning requirements generally applicable to residential construction in the zone in which the property is located.
7. Local building code requirements that apply to detached dwellings, as appropriate.

Sec. 4.78 "Service Station": A business which services motor vehicles and is limited to the retail sale of petroleum products and automobile accessories, tube and tire repairs, battery service, radiator cleaning and flushing, automobile washing, including the following operations if conducted within a building; lubrication of motor vehicles; brake servicing; wheel balancing; replacement of water hoses and electrical wires; and engine tune-up, but excluding: tire recapping; battery repair and rebuilding; body and fender works, engine overhaul or other similar activities.

Sec. 4.79 "Setback Line for Front, Rear, and Side Yards": A line established by this Ordinance to govern the placement of buildings and other improvements with respect to streets and alleys and property lines.

Sec. 4.80 "Solid Waste Facility/Materials Recovery Transfer": A place legally used for the disposal, abandonment, discarding, dumping, reduction, burial or by any other means, of any garbage, trash, refuse or waste material.

Sec. 4.81 "Stable-Commercial": A stable for horses to be let, hired or used on a commercial basis.

Sec. 4.82 "Stable-Private": A stable for horses to be used by owners thereof.

Sec. 4.83 "Story": That portion of a building included between the upper surface of any floor and the upper surface of the floor next above, except that the topmost story shall be that portion of a building included between the upper surface of the topmost floor and the ceiling or roof above. If the finished floor level directly above a basement is more than six (6) feet above grade at any point, such basement shall be considered a story.

Sec. 4.84 "Street": A public or permanent private right-of-way forty (40) feet or more in width which affords a primary means of access property, and including Tuttle Lane from Bridge Street to Eighth Street and other such access ways of less than 40 feet in width which are declared to be streets by City Council action.

Sec. 4.85 "Structural Alterations": Any change in the supporting members of a building, such as in a bearing wall, column, beam or girder, floor or ceiling joists, roof rafters, roof diaphragms, roof trusses, foundations, piles or retaining walls or similar components.

Sec. 4.86 "Structure": Anything constructed or built over the height of seven (7) feet, any edifice or building or any kind or any piece of work artificially built up or composed of parts jointed together in some definite manner, which has a required location on the ground or is attached to something having a location on the ground except outdoor areas such as patios, paved areas, walks, swimming pools, tennis courts and similar recreation areas.

Sec. 4.87 "Trailer": Any wheeled vehicle designed for carrying persons or property and for being drawn by a motor vehicle. Trailer includes, but is not limited to, camp trailer, mobile home, utility trailer or trailer specially designed to carry motorcycles, airplanes, boats, gliders, etc.

Sec. 4.88 "Yards": Land unoccupied or unobstructed to the sky except for such encroachments as may be permitted by this Ordinance, surrounding a building site.

Sec. 4.89 "Yard-Types":

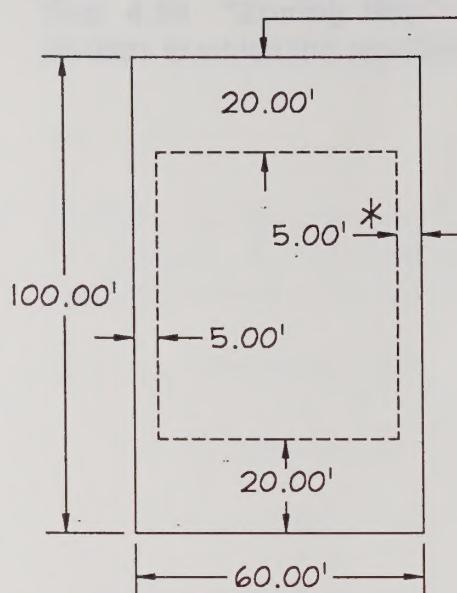
A. Front Yard - A yard extending across the full width of the lot from the front property line or the existing or future street right-of-way line and to a set-back depth required by the Zoning District in which said lot is located.

B. Interior Side Yard - A yard on the interior side(s) of a lot extending from the required front yard to the required rear yard and to a set-back width required by the Zoning District in which said lot is located.

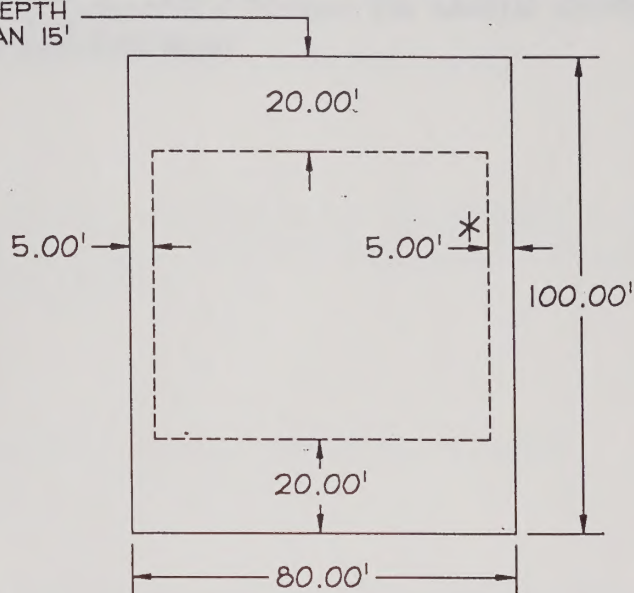
C. Street Side Yard - A side yard abutting the street extending from the front yard to the rear yard and to a set-back width required by the zoning district in which said lot is located.

D. Rear Yard - A yard extending along the full width of the lot from the rear property line to a set-back depth required by the Zoning District in which said lot is located.

20% OF LOT DEPTH
NOT LESS THAN 15'
30' MAXIMUM

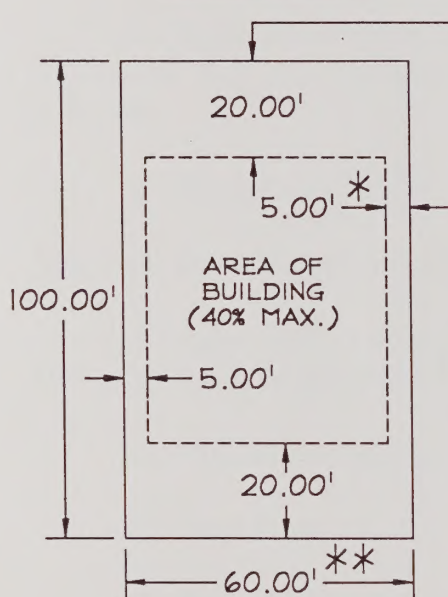


R-1-6000

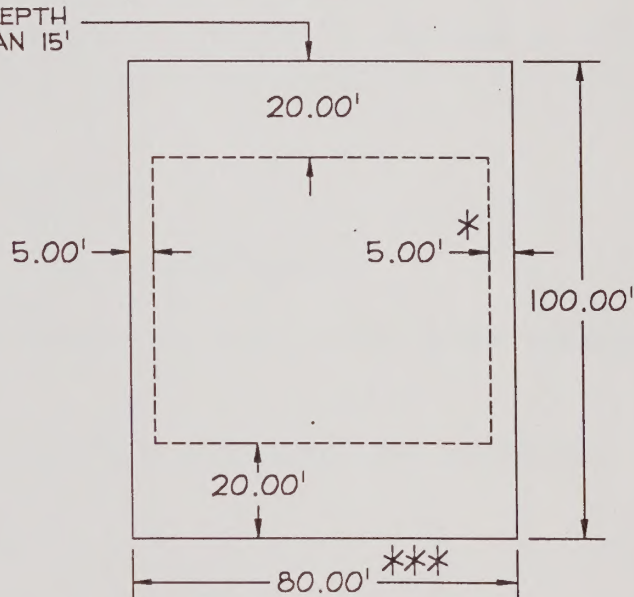


R-1

20% OF LOT DEPTH
NOT LESS THAN 15'
30' MAXIMUM



R-2



R-3

** 70' @ CORNER LOT
AREA=6000 SQ. FT. FOR SINGLE
7000 SQ. FT. FOR DUPLEX

*** LOT SIZE:
SINGLE FAMILY - 6000 SQ. FT.
DUPLEX - 8000 SQ. FT. (4000 PER UNIT)
TRIPLEX - 8000 SQ. FT. (2650 PER UNIT)
FOURPLEX - 8000 SQ. FT. (2000 PER UNIT)

NOTES:

* 1. EACH INTERIOR SIDE YARD SHALL BE NOT LESS THAN 5' ON ONE SIDE AND 10% OF THE LOT WIDTH ON THE OTHER SIDE. THE TOTAL OF BOTH NEED NOT EXCEED 15 FEET.

2. ALL CORNER LOTS, STREET SIDE YARDS SHALL BE 15% OF LOT WIDTH AND NEED NOT EXCEED 15'

R-4 SEE ZONING CODE

LOT REQUIREMENTS

CITY OF COLUSA

FIGURE 1

DRAWN BY	KCL
CHECKED BY	KCL
DATE	10/21/99

Sec. 4.99 "Zoning Map": The official map that describes thereon the several zoning districts to which the regulations set forth in this title shall apply.

Sec. 5.01

The following specific regulations and requirements set forth in Article 32 shall apply to all R-1 Districts. It is intended that the intent of this section be applied in areas zoned and used as designated for single family residential development.

Sec. 5.02 Uses Permitted:

- A. One-family dwellings, including mobile homes, accessory buildings and uses.
- B. Small Family Daycare centers.
- C. Public parks, schools, playgrounds, libraries, firehouses and other public buildings and uses included in the General Plan.
- D. Agriculture, horticulture, gardening, raising of animals as permitted by City Ordinance, but not including raising or processing for the sale of agricultural or nursery products.
- E. Garageyard as set forth in Section 4.07.

Sec. 5.03 Uses Requiring Minor Use Permits (Planning Commission):

- A. Public parks, schools, playgrounds, libraries, firehouses and other public buildings and uses not included in the General Plan.
- B. Private and religious schools, daycare centers, and large family day care homes.
- C. Churches.
- D. Golf and country clubs.
- E. Gambling.

Sec. 5.04 Uses Requiring Minor Use Permits (Planning Commission):

- A. Home occupations.
- B. Temporary retail sales offices, bank sales offices and advertising signs, and food construction offices and equipment yards for a period of not more than twelve (12) months.
- C. Second Units.

ARTICLE 5

R-1 SINGLE FAMILY RESIDENCE DISTRICT-REGULATIONS

Sec. 5.01

The following specific regulations and the general rules set forth in Article 32 shall apply in all R-1 Districts. It is intended that this district classification be applied in areas subdivided and used, or designated for single-family residential development.

Sec. 5.02 Uses Permitted.

- A. One-family dwellings, including private garages, accessory buildings and uses.
- B. Small Family Daycare Homes
- C. Public parks, schools, playgrounds, libraries, firehouses and other public buildings and uses included in the General Plan.
- D. Agriculture, horticulture, gardening, keeping of animals as permitted by City Ordinance, but not including stands or structures for the sale of agricultural or nursery products.
- E. Garage/yard sales as set forth in Section 4.47.

Sec. 5.03 Uses Requiring Major Use Permits (Planning Commission).

- A. Public parks, schools, playgrounds, libraries, firehouses and other public buildings and uses not included in the General Plan.
- B. Private and religious schools, daycare centers, and large family day care homes.
- C. Churches.
- D. Golf and country clubs.
- E. Cemeteries

Sec. 5.04 Uses Requiring Minor Use Permits (Planning Director).

- A. Home occupations.
- B. Temporary real estate offices, tract sales offices and advertising signs, and tract construction offices and equipment yards, for a period of not more than twelve (12) months.
- C. Second Units.

Sec. 5.05 Minimum Height, Bulk and Space Requirements.

A. Lot Area: 8,000 square feet

B. Lot Dimensions: 80 feet wide; 100 feet deep.

C. Maximum Main Building Coverage: 35 percent of lot area.

D. Front Yard Set-back: 20 feet

E. Side Yard Set-back:

1.) Interior Lots: Each interior side yard shall be not less than 5 feet on one side and 10% of the lot width on the other side, but the total of both need not exceed 15 feet.

2.) Corner Lots: The side yard on the street side of a corner lot shall be not less than 15% of lot width, but need not exceed 15 feet. The interior side yard shall be not less than 5 feet.

F. Rear Yard Set-back: 20 percent of the lot depth; may not be less than 15 feet, need not exceed 30 feet.

G. Building Height Limit: 2 and 1/2 stories, but not to exceed thirty-five (35) feet.

H. Off-street Parking: As required in Article No. 29.

ARTICLE 6

R-2 TWO FAMILY RESIDENCE DISTRICT-REGULATIONS

Sec. 6.01

The following specific regulations and the general rules set forth in Article 32 shall apply in all R-2 Districts. It is intended that this district classification be applied where two-family dwellings are, or are intended to be the dominant use.

Sec. 6.02 Uses Permitted

- A. Uses as permitted in R-1 Districts (Sec. 5.02).
- B. Two-family dwellings.

Sec. 6.03 Uses Requiring Major Use Permits (Planning Commission)

- A. Uses as permitted in R-1 Districts. (Sec. 5.03).

Sec. 6.04 Uses Requiring Minor Use Permits (Planning Director)

- A. Uses as permitted in R-1 districts. (Sec. 5.04).
- B. Uses permitted in Section 6.02(B) on legal non-conforming parcels less than 7,000 sq. ft. in area.

Sec. 6.05 Minimum Height, Bulk and Space Requirements.

Also Refer to Sec. 32.05[e]

- A. Lot Areas:**
 - 6,000 sq. ft. for single family dwellings.
 - 7,000 sq. ft. for duplex dwellings.
- B. Lot Dimensions:**
 - (Interior lots) 60 feet wide; 100 feet deep.
 - (Corner lots) 70 feet wide; 100 feet deep.
- C. Maximum Main Building Coverage:** 40% of lot area.
- D. Front Yard Set-back:** 20 feet.

E. Side Yard Set-back:

1.) Interior Lots: Each interior side yard shall be not less than 5 feet on one side and 10% of the lot width on the other side, but the total of both need not exceed 15 feet.

2.) Corner Lots: The side yard on the street side of a corner lot shall be not less than 15% of lot width, but need not exceed 15 feet. The interior side yard shall be not less than 5 feet.

F. Rear Yard Set-back: 20% of lot depth, may not be less than 15 feet, need not exceed 30 feet.

G. Building Height Limit: 2 and ½ stories, but not to exceed thirty-five (35) feet.

H. Off-street Parking: As required in Article No. 29

ARTICLE 7

R-3 NEIGHBORHOOD APARTMENT DISTRICT - REGULATIONS

Sec. 7.01

The following specific regulations and general rules set forth in Article 32 shall apply in the R-3 Districts. It is intended that this district classification be applied in areas where homes and small apartments are the desirable uses.

Sec. 7.02 Uses Permitted:

Uses as permitted in the R-1 and R-2 Districts (see Sec. 5.02 and 6.02), three and four family dwellings.

Sec. 7.03 Uses Requiring Major Use Permits (Planning Commission)

Uses as permitted in R-1 Districts (Sec. 5.03).

Sec. 7.04 Uses Requiring Minor Use Permits (Planning Director)

- A. Uses as permitted in R-1 districts (Sec. 5.04).
- B. Uses permitted in Section 7.02 on legal non-conforming parcels less than 8,000 square feet. in area.

Sec. 7.05 Minimum Height, Bulk and Space Requirements (Sec. 32.05[e])

- A. **Lot Area:** 6,000 square feet for single family dwellings.
4,000 square feet per unit for duplexes.
2,650 square feet per unit for triplexes.
2,000 square feet per unit for quadraplexes.
- B. **Lot Dimensions:** 60 feet wide; 100 feet deep.
- C. **Maximum Main Building Coverage:** 40% of lot area.
- D. **Front Yard Set-back:** 20 feet.

E. Side Yard Set-back:

1.) Interior Lots: Each interior side yard shall be not less than 5 feet on one side and 10% of the lot width on the other side, but the total of both need not exceed 15 feet.

2.) Corner Lots: The side yard on the street side of a corner lot shall be not less than 15% of lot width, but need not exceed 15 feet. The interior side yard shall be not less than 5 feet.

F. Rear Yard Set-back: 20% of the lot depth, may not be less than 15 feet, need not exceed 30 feet.

G. Building Height Limit: 2 and 1/2 stories, but not to exceed thirty-five (35) feet.

H. Off-street Parking: As required by Article No. 29.

ARTICLE 8

R-4 GENERAL APARTMENT DISTRICT-REGULATIONS

Sec. 8.01

The following specific regulations and the general rules set forth in Article 32 shall apply in all R-4 Districts. It is intended that this district classification be applied in areas where group dwellings and apartments are the logical and desirable uses.

Sec. 8.02 Uses Permitted:

A. Uses permitted in the R-1, R-2, and R-3 Districts, group dwellings, multiple family dwellings and apartments.

B. Incidental and accessory buildings and uses on the same lot with and necessary for the operation of any permitted use.

C. Advertising signs pertaining directly to a permitted non-residential use on the property, and not to exceed one (1) sign of a maximum area of six (6) square feet for any such use, or as specified in use permit.

D. Private garages, or parking lots uncovered and screened by suitable walls or planting, when operated by or in conjunction with a permitted use.

Sec. 8.03 Uses Requiring a Major Use Permit (Planning Commission)

A. Subject to the securing of a use permit in each particular case: hotels, motels, hospitals, rest homes, sanitariums, mortuaries, and professional offices for doctors, dentists, architects, engineers, accountants, artists, authors, attorneys, real estate and insurance offices, medical and dental clinics, and other uses which, by formal action of the Planning Commission, are found to be similar to the foregoing; and club, lodges and fraternities, except those operated as a business or for profit.

B. Parks, playgrounds, public and private schools, churches and religious institutions, libraries and public buildings.

C. Boarding and lodging houses.

Sec. 8.04 Uses Requiring a Minor Use Permit (Planning Director)

A. Home occupations

B. Temporary real estate offices, tract sales offices and advertising signs, and tract construction offices and equipment yards, for a period of not more than twelve (12) months.

C. Uses permitted in Section 8.02(A) on legal non-conforming parcels less than 6,000 sq. ft.

D. A second residential unit on a residentially zoned parcel or lot for the purpose of housing for the parents, other relatives, caretakers and other similar occupants.

Sec. 8.05 Minimum Height, Bulk and Space Requirements: (Sec. 32.05[e])

A. **Lot Area:** 6,000 sq. ft. and otherwise as provided for R-3 Districts. 1,500 sq. ft. per unit for apartments containing five (5) or more units.

B. **Lot Dimensions:** 60 feet wide; 100 feet deep.

C. **Maximum Main Building Coverage:** 60 percent of lot area, but within required setbacks.

D. **Front Yard Set-back:** 20 feet.

E. **Side Yard Set-back:**

1.) Each interior side yard shall be not less than 5 feet on one side and 10% of the lot width on the other side, but the total of both need not exceed 15 feet.

2.) The side yard on the street side of a corner lot shall be not less than 15% of lot width, but the total of both need not exceed 15 feet.

F. **Rear Yard Set-back:** 20% of lot depth, may not be less than 15 feet, need not exceed 30 feet.

G. **Distances Between Main Buildings on Same Lot:** 10 feet.

H. **Loading Area:** As specified in Use Permit.

I. **Building Height Limit:** 4 stories, but not exceed fifty (50) feet.

J. **Off-street Parking:** As required in Article No. 29.

ARTICLE 9

C-N NEIGHBORHOOD BUSINESS DISTRICT - REGULATIONS

Sec. 9.01

The following specific regulations and the general rules set forth in article 32 shall apply in all C-N Districts. It is intended that this district classification be applied on properties suitable to serve residential areas with convenience shopping and service facilities.

Sec. 9.02 Uses Permitted.

- A. All uses permitted in "R" districts, except that dwellings as defined herein, may be permitted only upon the securing of a Major Use Permit.
- B. The following retail business uses:
 - Food stores, dairy products and retail bakery goods stores and bakeries
 - Book and stationery stores and rental libraries
 - Barber shops, beauty salons, cigar stores and news stands
 - Drug stores, including soda fountains and food service
 - Florists, shoe repair, photo, music, variety, hardware, clothing stores
 - Laundry and cleaning agencies, pressing shops
 - Professional offices, studios and clinics
 - Repair shops for shoes, radios and domestic appliances
 - Restaurants
 - Self-operated laundries.
 - Service stations, provided that all operations except the service with motor fuel, oil, air and water can be conducted within an enclosed building
 - Other uses, services and agencies which, in the opinion of the Planning Commission, are similar to the above
- C. Public buildings, public utility substations and offices.
- D. Commercial parking lots and parking garages.
- E. Incidental and accessory buildings and uses on the same lot with and necessary for the operation of any permitted use.
- F. Exterior signs (parallel to building walls to which attached, pertaining to the business use conducted on the premises) provided that no such sign shall project more than two (2) feet from any business structure, shall not exceed fifty (50) square feet in total area, and that no such sign shall project above the roof ridge line. Floodlights shall be directed inward and downward onto property.

Sec. 9.03 Minimum Height, Bulk and space Requirements

A. Lot Areas, Lot Width, Building Regulations: None.

B. Front Yard Set-back: Fifteen (15) feet.

C. Side Yard Set-back: None, except as required by Building Code or other regulations.

D. Rear Yard Set-back: Fifteen (15) feet.

E. Building Height Limit: One story, but not to exceed thirty (30) feet.

F. Off-street Parking: As required by Article No. 29.

ARTICLE 10

C-G GENERAL COMMERCIAL DISTRICT - REGULATIONS

Sec. 10.01

This district classification is intended to be applied where general commercial facilities are necessary for public service and convenience. The following specific regulations and the general rules set forth in Article 32 shall apply in all C-G Districts

Sec. 10.02 Uses Permitted

A. Uses permitted in C-N Districts, except that those dwellings, as defined herein, may be permitted only upon the securing of a Major Use Permit.

B. The following and other uses, which, in the opinion of the Planning Commission, are of a similar character:

1. Advertising signs, structures and billboards as in C-N Districts.
2. Amusement enterprises, including a billiard or pool hall, bowling alley, boxing arena, dance hall, theater and other similar uses, if conducted wholly within a completely enclosed building.
3. Antique shop, if conducted entirely within a building.
4. Automobile agencies, repair garages, body and fender shops, and auto painting shops, service stations, provided any steam cleaning and storage of merchandise and sundries are conducted wholly within a building.
5. Automobiles and taxicabs for hire.
6. Automobiles, truck and trailer, used car and farm equipment sales area.
7. Bakery.
8. Blueprinting and Photostatting.
9. Brokers-bail bond, crop, feed, fruit, grain, insurance, moneylender, pawnbroker, real estate, stocks and bonds.
10. Retail building material store including accessory retail and resale lumber storage yard.
11. Butcher, retail or wholesale but excluding slaughterhouses.
12. Carpenter or cabinet shop, if conducted wholly within an enclosed building, but excluding furniture manufacture and heavy millwork.

13. Carnival or amusement enterprise of a similar temporary type, provided a use permit shall have been obtained from the Planning Commission.

14. Clothes cleaning and dyeing work.

15. Feed or fuel store.

16. Funeral parlor.

17. Hotel.

18. Laundry.

19. Liquor store, cocktail bar or warehouse.

20. Manufacturer's agent, office, sample room and storage.

21. Moving, household storage and baggage transfer.

22. Nursery, flower or plant.

23. Offices - real estate and insurance, professional and miscellaneous.

24. Parking Lots.

25. Pet shops and taxidermist.

26. Plumbing or sheet metal shop, if conducted wholly within a building.

27. Poultry or rabbit cleaning or dressing, provided that it is incidental to the sale of such products at retail on the premises and further provided that a use permit shall have been obtained from the Planning Commission.

28. Printing, publishing and lithographing.

29. Public garage, including storage, repairing, body and fender work, painting, etc., providing that all operations shall be conducted entirely within a building.

30. Public services, including electric substations, fire and police stations, telephone exchange, bus or railroad station, water works and the like.

31. Restaurant, cafe, or nightclub.

32. Retail stores, of all types.

33. Second-hand clothing or furniture store, if conducted entirely within a building.
34. Sign painting shop.
35. Skating rink.
36. Stone monument works, if stone cutting is conducted entirely within a building or shed enclosed on three (3) sides.
37. Mobilehome parks and travel trailer parks, subject to Planning Commission approval of a use permit in each particular case.
38. Upholstery shop.
39. Veterinarian, including dog or cat hospital or dog kennels, provided that a use permit shall have been obtained from the Planning Commission.
40. Wedding chapel, rescue mission or temporary revival church or tent, provided that a use permit shall have been obtained from the Planning Commission.
41. Wholesale business, including storage warehouses.
42. Other uses similar to those above, which are not obnoxious or offensive by reason of the emission of odor, dust, gas, noise or vibration, and further those uses which do not store or use inflammable liquids or gases which are generally considered a fire hazard.

Sec. 10.03 Minimum Height, Bulk and Space Requirements:

- A. Lot Area, Width, Coverage, and Front Yard:** None.
- B. Side Yard Set-back:** None, except as required by Building Code or other regulations.
- C. Rear Yard Set-back:** Five (5) feet
- D. Building Height Limit:** Two (2) stories but not to exceed thirty-five (35) feet.
- E. Off-street Parking:** As required by Article No. 29

ARTICLE 11

C-H HIGHWAY SERVICE COMMERCIAL DISTRICT - REGULATIONS

Sec. 11.01

This district classification is intended to be applied along main road and highway frontages at proper intervals and locations to provide necessary services for the traveling public in developments designed for safety, convenience and fitting appearance. The following specific regulations and the general rules set forth in Article 32 shall apply in all C-H Districts.

Sec. 11.02 Uses Permitted.

A. Highway service types of commercial uses which, in the opinion of the Planning Commission, are of a character similar to the following: restaurants, motels, and travel trailer parks.

B. Outdoor advertising signs and structures which:

1. Are located on or immediately adjacent to permitted commercial uses, and which pertain directly to the commercial use of the property.

2. Do not exceed two (2) square feet of total sign area for each lineal foot of frontage of the lot for all such signs on or at any such property.

Sec. 11.03 Uses Requiring Use Permits (Major):

A. Uses permitted in R-1, R-2, R-3 and R-4 Districts.

B. Gasoline service stations.

Sec. 11.04 Minimum Height, Bulk and Space Requirements

A. **Lot Areas, Lot Width, Building Regulations:** None

B. **Front yard Set-back:** Fifteen (15) feet.

C. **Side yard Set-back:** None, except as required by Building Code or other regulations.

D. **Rear yard Set-back:** Fifteen (15) feet.

E. **Building Height Limit:** One story, but not to exceed thirty (30) feet.

F. **Off-street Parking:** As required by Article No. 29.

ARTICLE 12

M-1 LIGHT INDUSTRIAL DISTRICT - REGULATIONS

Sec. 12.01

The following specific regulations and general rules set forth in Article 32 shall apply in M-1 Districts.

Sec. 12.02 Uses Permitted:

A. Uses permitted in C-G districts, except that dwellings, as defined herein, and hotels may be permitted only upon the approval of a use permit.

B. The following uses, provided that the use and storage of flammable and explosive materials shall be subject to appropriate safety regulations, and provided further that smoke, dust, noxious odors and fumes, and noise above the ambient level in the vicinity, be confined within the premises:

1. Wholesale and storage warehouse.

2. Feed and fuel yards.

3. Manufacturing, processing, fabricating, repairing, packaging, and other such treatment of goods and materials, but not including operations involving fish fats and oils, bones and meat products, or similar substances commonly recognized as creating offensive conditions in the handling thereof, and so classified by the Planning Commission.

4. Dyeing, dry-cleaning, and rug cleaning plants, laundries, veterinary hospitals, cabinet shops, and construction and building materials yards, but not including rock, sand, and gravel or concrete mixing operations, or open lumber yards.

5. The following when conducted within a building or enclosed within a solid wall or fence not less than six (6) feet in height, and of a type approved by the Planning Commission: welding and sheet metal shops, cooperage and bottling works, truck terminals, and lumber yards.

Sec. 12.03 Minimum Height, Bulk and Space Requirements:

A. Lot Area, Width, Coverage and Front Yard: None.

B. Side Yard Set-back: None except as required by Building Code or other regulations.

C. Rear Yard Set-back: Five (5) feet

D. Loading Area: Private off-street space for the handling of all materials and equipment.

E. Building Height Limit: One hundred (100) feet.

F. Off-street Parking: As required by Article No. 29

Sec. 13.02 Uses Permitted:

A.1 Uses permitted in M-1 Districts, except that dwellings, as defined herein, and hotels may be permitted only upon the approval of a use permit.

B. The following specific uses shall be permitted only in M-2 Districts:

1. Wholesale lumberyards, lumber mills, grain elevators and storage.
2. Foundry work and ceramic works of heavy industrial types.
3. Concrete batch plants.
4. Blacksmith shops, casting buildings.

C. The following when enclosed within a wall not less than 10 feet in (10) feet in height, and of a type approved by the Planning Commission:

- (a) Building material storage yard, contractors storage yard.
- (b) Junkyard, auto wrecking yard.

Sec. 13.03 Uses Requiring Use Permits (Major):

Uses not otherwise provided for in this Ordinance

Sec. 13.04 Minimum Height, Bulk and Space Requirements:

A. Lot Area, Width, Coverage and Front Yard: None.

B. Side Yard Set-back: None, except as required by Building Code or other regulations.

C. Rear Yard Set-back: None.

D. Building Height Limit: One hundred (100) feet.

E. Off-street Parking: As required by Article No. 29.

ARTICLE 13

M-2 GENERAL INDUSTRIAL DISTRICT-REGULATIONS

Sec. 13.01

The following specific regulations and the general rules set forth in Article 32 shall apply in all M-2 Districts.

Sec. 13.02 Uses Permitted:

A.) Uses permitted in M-1 Districts, except that dwellings, as defined herein, and hotels may be permitted only upon the securing of a use permit.

B. The following specific uses which shall be permitted only in M-2 Districts.

1. Wholesale lumberyards, lumber mills, grain elevators and storage.
2. Pottery kilns and ceramic works of heavy industrial types.
3. Concrete batch plants.
4. Blacksmith shops, casting foundries.

5. The following when enclosed within a solid wall or fence not less than six (6) feet in height, and of a type approved by the Planning Commission:

- (a) Building material storage yard, contractors storage yard.
- (b) Junkyard, auto wrecking yard.

Sec. 13.03 Uses Requiring Use Permits (Major):

Lawful uses not otherwise provided for in this Ordinance.

Sec. 13.04 Minimum Height, Bulk and Space Requirements:

A. Lot Area, Width, Coverage and Front Yard: None.

B. Side Yard Set-back: None except as required by Building Code or other regulations.

C. Rear Yard Set-back: None.

D. Building Height Limit: One hundred (100) feet.

E. Off-street Parking: As required by Article No. 29.

ARTICLE 14

M-L LIMITED MANUFACTURING DISTRICT-REGULATIONS

Sec. 14.01

This district is designed to accommodate a limited group of business, professional, research and technical manufacturing uses that may have unusual requirements for space, light and air, and operations that are clean and quiet.

Sec. 14.02

The following specific regulations and general rules set forth in Article 32 shall apply in all M-L Districts.

Sec. 14.03 Uses Permitted:

A. Commercial and professional offices.

B. The following and similar uses in which noise, smoke, dust, odors, and other such offensive features are confined to the premises of such use:

1. Research institutes and laboratories.
2. Electrical, small electronic and plastics and instrument manufacture.
3. Bookbinding, printing, editorial, designing, lithography and cartography.
4. Garment manufacture, paper products manufacture.

C. Underground utility installations and above ground utility installations for local service, except that substations, generating plants, and gas holders must be approved by the Planning Commission prior to construction and the route of any proposed transmission line shall be discussed with the Planning Commission prior to acquisition.

Sec. 14.04 Minimum Height, Bulk and Space Requirements:

A. **Lot Area:** Ten thousand (10,000) square feet.

B. **Front Yard Set-back:** Twenty (20) feet.

C. **Side Yard Set-back:** Twenty (20) feet.

D. **Rear Yard Set-back:** Twenty (20) feet.

E. **Building Height Limit:** Two (2) stories, but not to exceed Thirty-five (35) feet.

F. Off-street Parking: As required by Article No. 29.

P-D PLANNED DEVELOPMENT DISTRICT-REGULATIONS

Sec. 15.01

The following specific regulations and the general rules set forth in Article 22 shall apply in all PD Districts, except that where stated below the regulations specified in this section shall apply.

Sec. 15.02

"PD" Districts may be established on parcels of land which are suitable for, and of sufficient acreage to, contain a planned development for which development plans have been submitted and approved.

Sec. 15.03

Application for the establishment of a "PD" District shall include an application for a use permit for all developments within the District. These use permits shall be approved prior to construction of any structure within the district. Application for establishment of a "PD" District shall include the following:

A. A map or maps showing:

1. Topography of the land, contour lines as required by the Planning Commission;
2. Proposed street system and lot design;
3. Areas proposed to be dedicated or reserved for parks, playgrounds, pathways, school sites, public or quasi-public buildings and other such uses;
4. Areas proposed for commercial uses, off-street parking, multiple and single family dwellings and all other uses proposed to be developed within the district;
5. Proposed locations of buildings on the land.

B. General elevation or perspective drawings of all proposed buildings and structures other than single family residences.

C. Other data and information which may be deemed necessary by the Planning Commission for proper consideration of the application.

ARTICLE 15

P-D PLANNED DEVELOPMENT DISTRICT-REGULATIONS

Sec. 15.01

The following specific regulations and the general rules set forth in Article 32 shall apply in all PD Districts, except that where conflict occurs the regulations specified in this section shall apply.

Sec. 15.02

"PD" Districts may be established on parcels of land which are suitable for, and of sufficient acreage to contain a planned development for which development plans have been submitted and approved.

Sec. 15.03

Application for the establishment of a "PD" District shall include an application for a use permit for all developments within the district. These use permits must be approved prior to construction of any structure within the district. Application for establishment of a "PD" District shall include the following:

A. A map or maps showing:

1. Topography of the land, contour intervals as required by the Planning Commission.
2. Proposed street system and lot design.
3. Areas proposed to be dedicated or reserved for parks, playgrounds, parkways, school sites, public or quasi-public buildings and other such uses.
4. Areas proposed for commercial uses, off-street parking, multiple and single family dwellings and all other uses proposed to be established within the district.
5. Proposed locations of buildings on the land.

B. General elevations or perspective drawings of all proposed buildings and structures other than single family residences.

C. Other data and information which may be deemed necessary by the Planning Commission for proper consideration of the application.

Sec. 15.04 Uses Permitted:

A. All uses permitted in "R", "C", and "M" Districts, subject to the securing of a major use permit specified in Section 32.01.

Sec. 15.05 Building Height Limit:

As provided in approved use permit.

Sec. 15.06 Building Site Area Required:

"P" Uses: Six thousand (6,000) square feet, provided however, that variations may be approved by the Planning Commission to permit conformity to topography and attractive design, and provided further that the average of such variations shall not result in a reduction of the basic ordinance requirements.

Sec. 15.07 Front, Side and Rear Yards and Percentage of Site Coverage:

Same as required for the particular uses in the districts in which they are otherwise permitted by this Ordinance, provided, however, that variations may be approved by the Planning Commission to permit conforming to topography and attractive design and provided further that the average of such variation shall not result in a reduction of the basic Ordinance requirements.

Sec. 15.08

The regulations specified in this section may be varied when such variation will result in improved design of the development and will permit desirable arrangement of structures in relation to streets, parking areas, parks and parkways, pedestrian walks, waterways and other such features, and will not result in a total reduction of standards.

ARTICLE 16

P-F PUBLIC FACILITIES DISTRICT-REGULATIONS

Sec. 16.01

This district classification is intended to be applied to properties that are properly used for, or are proposed to be used for, public purposes or for specified public utility purposes.

Sec. 16.02

The following specific regulations and the provisions of Article 32 shall apply in all P-F Districts:

A. Principal Permitted Uses:

1. Public schools, parks and recreation areas, fairgrounds, civic centers and similar sites and uses, public highways, reservoir areas, historical sites and monuments.
2. Public utility facilities for local service.
3. Sites and uses which the Planning Commission determines by written findings are similar to the above.
4. Uses and structures which are incidental or accessory to permitted uses.

B. Conditional Uses Requiring Use Permits (Major):

1. Public and quasi-public cemeteries and similar uses.
2. Airports, refuse disposal areas, corporation yards, sewage disposal sites.

C. Permitted Public Utility Uses: When the Letter symbol "-U" is added to the P-F symbol to create "Public Facility-Utility" districts, the following uses shall be permitted in such districts:

1. Public utility warehouses and storage yards, pole yards, gas holders, substations, electric generating plants and transmission and distribution lines, provided that the route of any transmission line must be discussed in detail with the Planning Commission prior to acquisition of rights of way thereof.
2. Public utility uses that the Planning Commission determines by written findings to be similar to the foregoing.

ARTICLE 17

O-S OPEN SPACE DISTRICT-REGULATIONS

Sec. 17.01

This district classification is intended to be applied to properties which are found to be preserved in a natural state and/or to provide open space buffer areas in which uses are restricted to recreational, conservation or light agricultural types, and including accessory and public uses.

Sec. 17.02

The following specific regulations and the provisions of Article 32 shall apply in all O-S Districts:

A. Principal Permitted Uses:

1. Measures to promote conservation of natural terrain and vegetation, and to reduce fire and erosion hazards.
2. Riding and hiking trails, picnic sites.
3. Public and private non-profit riding stables, parks, golf courses, tennis and swimming clubs.
4. Crop and tree farming, grazing.
5. Uses which the Planning Commission determines, by written findings, to be similar to the above.

B. Conditional Uses Requiring Use Permits (Minor):

1. Living quarters for caretakers or watchmen.

ARTICLE 18

F-W FLOODWAY DISTRICT-REGULATIONS

Sec. 18.01.

This district classification is intended for properties located within designated floodway areas as established by the California Reclamation Board, or to other such properties which constitute floodways, are subject to inundation, and upon which regulations are found necessary to permit the free flow of flood waters and to protect persons and property from flood hazards.

Sec. 18.02

The following specific regulations and the provisions of Article 32 shall apply in all F-W Districts and in addition be subject to the regulations as set forth in the City of Colusa Floodplain Management No. 401.

A. Principal Permitted Uses

1. Subject to State or Federal regulations for designated floodways: grazing, crop and tree farming, and,
2. Construction of levees and similar works for the protection or improvement of flowage and safety features.

B. Conditional Uses Requiring Use Permits (Major):

1. Subject to State or Federal regulations for designated floodways: Farm storage and animal and equipment shelter buildings other than residences, temporary or flood-proof recreational structures and facilities, parks, picnic areas, and uses which the Planning Commission finds are similar to the foregoing.

ARTICLE 19

"A" AGRICULTURAL COMBINING DISTRICTS-REGULATIONS

Sec. 19.01

The following uses shall be permitted and regulations shall apply in all districts which are combined "A" Districts in addition to the regulations hereinbefore specified, and shall be subject to the provisions of Article 32.

Sec. 19.02 Uses Permitted

- A. All uses permitted in the respective district with which the "A" District combined.
- B. Animal husbandry and livestock farming, provided that not more than one horse, one mule, one cow, one steer, or five sheep shall be kept for each half acre of land.
- C. Small livestock farming, provided that a use permit shall be required for the raising of more than one hundred head of either poultry or animals.
- D. Sale of agricultural products produced on the premises, provided that no commercial structure for such purpose, other than a temporary stand, shall be permitted.

Sec. 19.03 Uses Requiring Use Permit (Major):

- A. Dog and cat kennel, private and commercial stables.
- B. Dairy, poultry and rabbit slaughter and processing.
- C. Veterinary hospital.

Sec. 19.04 Special Yards and Distances between Buildings:

Barns, stables, chicken houses and similar accessory buildings shall be not less than fifty (50) feet from the front property line; not less than twenty (20) feet from any side property line; not less than thirty (30) feet from any dwelling.

ARTICLE 20

"B" SPECIAL BUILDING SITE COMBINING DISTRICT-REGULATIONS

Sec. 20.01

In any district with which is combined a "B" District, the following regulations shall apply as to building site areas, depths of front yards and widths of side yards; provided, however, that such application shall not be made in any case in which any of the following regulations are less than corresponding regulations hereinbefore specified for any district with which is combined a "B" District:

Sec. 20.02 Special Regulations:

A. Building Site Area Requirement: Shall be indicated by a number following the letter "B" in the district designation, which number shall represent the required area in thousands of square feet.

B. Side Yard Set-back Required: Ten (10) percent of lot width on each side to a maximum requirement of fifteen (15) feet, but in no case less than five (5) feet for interior side yards or ten (10) feet for side yards adjacent to streets on corner lots.

ARTICLE 21

"CD " SPECIAL CIVIC DISTRICT COMBINING DISTRICT-REGULATIONS

Sec. 21.01

In any district with which the "CD" District is combined, such district to be located around civic center, public parks, and public buildings and grounds as indicated upon the Zoning Map, no building permit for any proposed building or structure shall be issued until the Planning Commission shall have reviewed and approved the plans for such building or structure to insure an orderly development in the vicinity of public sites and buildings within the district.

ARTICLE 22

"F" SPECIAL HIGHWAY FRONTAGE COMBINING DISTRICT-REGULATIONS

Sec. 22.01

In any district with which is combined any "F" District, the regulations of this Article shall apply in addition to those hereinbefore specified for such district, provided that if conflict in regulations occurs the regulations of this Article shall govern.

Sec. 22.02 Special Regulations:

A. A front yard set-back of not less than twenty (20) feet shall be required in the district with which the "F" District is combined.

B. Screen planting or fencing of permitted commercial uses of open land shall be required as a condition to the granting of a use permit in each particular case.

C. No outdoor advertising signs or structures shall be permitted except such signs or structures which pertain directly to permitted commercial uses; and which do not exceed two (2) square feet of area for each lineal foot of lot frontage for all such signs or structures for any one use.

D. Directional and informational signs of not more than six (6) square feet may be permitted upon the securing of a use permit in each particular case.

ARTICLE 23

"FP" SPECIAL FLOODPLAIN COMBINING DISTRICT-REGULATIONS

Sec. 23.01

In any district with which is combined an "FP" District, the regulations of this Article shall apply in addition to those hereinbefore specified for such districts, provided that if conflict in regulations occurs the regulations of this Article shall govern.

Sec. 23.02 Special Provisions

A. Crop and tree farming and truck gardening, and buildings and structures directly related to the permitted agricultural use of the land may be permitted without requirement for a use permit.

B. Other uses and structures otherwise permitted in the district may be permitted only upon the securing of a use permit in each particular case and shall comply with the City of Colusa Floodplain Management Ordinance No. 401.

ARTICLE 24

"H" SPECIAL HEIGHT COMBINING DISTRICT-REGULATIONS

In any districts with which is combining an "H" District, the following special height regulations otherwise provided for:

Sec. 24.01 Special Height Regulations

A.) The special maximum height regulations shall be indicated by the symbol "H" followed by a numerical figure, which figure shall represent the maximum permitted height in feet measured from the average elevation of the ground area to be covered by a particular building or structure.

B. In cases, where the "H" District is created to provide protection against airport hazards in an airport hazard area, the following shall apply:

1. The symbol "AV" shall be added to the district symbol.
2. The special height limit shall apply to all buildings and structures and to all trees and other objects of natural growth.
3. The special height limit shall be measured from datum elevation which shall be the established elevation of the end of the airport closest to the particular airport hazard area district.

ARTICLE 25

"P" SPECIAL PARKING COMBINING DISTRICT-REGULATIONS

Sec. 25.01

In any district with which is combined a "P" District the regulations of this Article shall apply in addition to those hereinbefore specified for such district, provided that if conflict in regulations occurs the regulations of this Article shall govern.

Sec. 25.02 Minimum Parking and Loading Requirements

There shall be provided at the time of the erection of any main building or structure is enlarged or increased in capacity, minimum off-street parking space with adequate provisions for ingress and egress by standard size automobiles as follows:

A. Private Space or Garages for Dwellings: There shall be at least one (1) permanently maintained parking space or a private garage space on the same lot with the main building or the enlargement of a main building, for each dwelling unit in the case of a new building or for each dwelling unit added to an existing building. Such parking space shall not be less than ten (10) feet wide, twenty-four (24) feet long, and seven (7) feet high.

B. For Buildings Other than Dwellings: For a new building or structure or for the enlargement or increase in seating capacity, floor area or guest rooms of any existing main building or structure, there shall be at least parking space of not less than one hundred forty-four (144) square feet net area as follows:

1. For church, high school, college or university auditoriums, and for theaters, general auditoriums, stadiums and other similar places of assembly at least one (1) parking space for every six (6) seats provided in the main assembly hall in such building or structure.

2. For hospitals and welfare institutions, at least one (1) square foot of parking space for every one square foot of ground area covered by said building.

3. For hotels, apartment hotels and clubs, at least one (1) parking space for each of the first six (6) individual guest rooms or suites: one (1) additional parking space for every four guest rooms in excess of six but not exceeding twenty (20); and one (1) additional parking space for every three (3) guest rooms or suites in excess of twenty (20) guest rooms or suites, provided in said building.

4. For motels, at least one (1) parking space for each individual unit.

5. For business or commercial buildings or structures having a floor area of 1500 square feet or more, at least one (1) square foot of a parking space for each square foot of floor area on the ground floor, and one (1) square foot of parking space for every two (2) square feet of floor space on the upper floors.

6. For industrial buildings or structures having a floor area of two thousand (2,000) square feet, or more, at least one (1) parking space for each five (5) employees.

Sec. 25.03

Parking space as required above shall be on the same lot with main building or structure or located not more than four hundred (400) feet from the property line of the property housing the main building. To insure the perpetuation of the parking space requirements herein, the owner and/or owners of the same lot or lots with the main building, buildings, structure or structures, and the owner and/or owners of the parking space shall execute a declaration of restrictions and covenants covering said lot or lots and parking space on forms and prescribed by the Planning Department setting aside the required space for parking only, which restrictions and covenants may be waived only by the consent of the owner or owners of more than one-half of the said lot or lots and parking space and the consent of the Planning Director.

Sec. 25.04

Every hospital, institution, hotel, commercial or industrial building hereafter erected or established on a lot which abuts upon an alley or is surrounded on all sides by streets, shall have one (1) permanently maintained loading space of not less than ten (10) feet in width, twenty (20) feet in length, and fourteen (14) feet in height, for each four thousand (4,000) square feet of lot area upon which said building is located; provided, however, that not more than two (2) such spaces shall be required on any lot.

ARTICLE 26

"O" SPECIAL DIVIDED OWNERSHIP-REGULATIONS

Sec. 26.01

The "O" Special Divided Ownership may be used within an "R-2" Two-family Residence District.

Sec. 26.02 Additional Provisions:

A. Any lot in an "R-2-0" District which conforms to the provisions of this section may be divided into two substantially equal parcels, provided that such division is incidental and directly related to a legal division of a two-family dwelling existing or under construction on the lot into two separate and complete dwelling units, and provided further that such division be survey map thereof be recorded.

B. **Uses permitted** in "O" District shall be two-family condominium. "Condominium" as used herein means a condominium as defined in Section 783 of the Civil Code of California and subject to the provisions of Section 1350 to 1359, inclusive, of the Civil Code of California.

C. **Minimum lot width shall be:** seventy (70) feet for interior lot and seventy (70) feet for corner lots.

D. **Minimum lot area shall be:** 6,000 square feet.

E. **Front Yard Set-back:** Twenty (20) feet.

F. **Side Yard Set-back:**

1.) Each interior side yard shall be not less than 5 feet on one side and 10% of the lot width on the other side, but the total of both need not exceed 15 feet.

2.) The side yard on the street side of a corner lot shall be not less than 15% of lot width, but the total of both need not exceed 15 feet.

G. **Rear Yard Set-back:** Twenty per cent (20%) of the lot depth and may not be less than fifteen (15) feet, but need not exceed thirty (30) feet.

H. **Building Height Limit:** Two and one-half (2 1/2) stories, but not exceeding thirty-five (35) feet.

I. **Split Structure Only:** At no time after split of a two-family dwelling may any structure other than one two-family dwelling be constructed upon parcels so divided.

ARTICLE 27

“A-O” SPECIAL ADULT-ORIENTED COMBINING DISTRICT REGULATIONS

Sec. 27.01 Purpose

A. It is the intent of this article to protect the health and welfare of the citizens of the City of Colusa, and to prevent community wide adverse economic impacts, increased crime, decreased property values, and the deterioration of neighborhoods which can be brought about by the concentration of Adult~Oriented Businesses in close proximity to each other or proximity to other incompatible uses such as schools for minors, churches, and residentially zoned districts or uses. The City Council finds that it has been demonstrated in various communities that the concentration of Adult~Oriented Businesses causes an increase in the number transients in the area, and an increase in crime, and in addition to the effects described above can cause other businesses and residents to move elsewhere. It is, therefore, the purpose of this article to establish reasonable and uniform regulations to prevent the concentration of Adult~Oriented Businesses or their close proximity to incompatible uses, while permitting the location of Adult~Oriented Businesses in certain areas.

In any district with which is combined any “A~O” District, the regulations of this article shall apply in addition to those hereinbefore specified for such district, provided that if conflict in regulations occurs the regulations of this Article shall govern.

SEC. 27.02 DEFINITIONS

A. Establishment of an Adult~Oriented Businesses: As used herein, to “establish” any Adult~Oriented Businesses shall mean and include any of the following:

1. The opening or commencement of any Adult~Oriented Business as a new Business.
2. The conversion of an existing business, whether or not an Adult~Oriented Business, to any Adult~Oriented Business defined herein;
3. The addition of any of the Adult~Oriented Businesses defined herein to any other existing Adult~Oriented Business; or
4. The relocation of any such Adult~Oriented Business.

B. Specified anatomical areas: As used herein, “specified anatomical areas” shall mean and include any of the following:

1. Less than completely and opaquely covered human (I) genitals or pubic region; (II) buttocks; and (III) female breast below a point immediately above the top of the areola;

2. Human male genitals in a discernibly turgid state, even if completely and opaquely covered;
3. Any device, costume or covering that simulates any of the body parts included in subdivisions (1 or 2) above.

C. Specified sexual activities: As used herein, "specified sexual activities" shall mean and include any of the following, whether performed directly or indirectly through clothing or other covering:

1. The fondling or other erotic touching of human genitals, pubic region, buttocks, anus, female breast, or male chest/stomach area;
2. Sex acts, actual or simulated, including intercourse, oral copulation, or sodomy;
3. Masturbation, actual or simulated;
4. Excretory functions as part of or in connection with any of the other activities described in subdivision 1) through 3) of this subsection.

D. Adult-Oriented Businesses: "Adult-Oriented Businesses" means any one of the following:

1. **Adult Arcade:** The term "adult arcade" as used in this chapter, is an establishment where, for any form of consideration, one or more still or motion picture projectors, VCR's, or similar machines, for viewing by five (5) or fewer persons each, are used to show films, computer generated images, motion pictures, video cassettes, slides or other photographic reproductions thirty (30) percent or more of the number of which are distinguished or characterized by an emphasis upon the depiction or description or specified sexual activities or specified anatomical areas.
2. **Adult bookstore:** The term "adult bookstore" as used in this chapter, is an establishment that has thirty (30) percent or more of its stock in books, magazines, periodicals or other printed matter, or of photographs, films, motion pictures, video cassettes, slides, tapes, records or other form of visual or audio representations which are distinguished or characterized by an emphasis upon the depiction or description of specified sexual activities and or specified anatomical areas.
3. **Adult cabaret:** The term "adult cabaret" as used in this chapter, means a nightclub, restaurant, or similar business establishment which:
 - (a) regularly features live performances which are distinguished or characterized by an emphasis upon the display of specified anatomical areas or specified sexual activities; and

- (b) which regularly feature persons who appear semi-nude; and/or
 - (c) shows films, computer generated images, motion pictures, video cassettes, slides, or other photographic reproductions thirty (30) percent or more of the number of which are distinguished or characterized by an emphasis upon the depiction or description or specified sexual activities or specified anatomical areas.
4. **Adult hotel/motel:** The term “adult hotel/motel” as used in this chapter, means a hotel or motel or similar business establishment offering public accommodations for any form of consideration which:
- (a) provides patrons with closed-circuit television transmissions, films, computer generated images, motion pictures, video cassettes, slides, or other photographic reproductions thirty (30) percent or more of the number of which are distinguished or characterized by an emphasis upon the depiction or description or specified sexual activities or specified anatomical areas; and
 - (b) rents, leases, or lets any room for less than a six (6) hour period, or rents, leases, or lets any single room more than twice in a 24-hour period.
5. **Adult motion picture theater:** The term “adult motion picture theater” as used in this chapter, is a business establishment where, for any form of consideration, films, computer generated images, motion pictures, video cassettes, slides or similar photographic reproductions are shown, and thirty (30) percent or more of the number of which are distinguished or characterized by an emphasis upon the depiction or description of specified sexual activities or specified anatomical areas.
6. **Adult theater:** The term “adult theater” as used in this chapter, means a theater, concert hall, auditorium, or similar establishment which, for any form of consideration regularly features live performances which are distinguished or characterized by an emphasis on the display of specified anatomical areas or specified sexual activities.
7. **Modeling studio:** The term “modeling studio” as used in this chapter, means a business which provides, for pecuniary compensation, monetary or other consideration, hire or reward, figure models who, for the purposes of sexual stimulation of patrons, display “specified anatomical areas” to be observed, sketched, photographed, painted, sculpted or otherwise depicted by persons paying such consideration. “Modeling studio” does not include schools maintained pursuant to standards set by the State Board of Education. “Modeling studio” further does not include a studio or similar facility owned, operated, or maintained by an individual artist or

group or artists, and which does not provide, permit, or make available "specified sexual activities."

E. Church: The term "church" as used in this article, is a structure which is used primarily for religious worship and related religious activities

F. Distinguished or characterized by an emphasis upon: As used in this ordinance, the term "distinguished or characterized by an emphasis upon" shall mean and refer to the dominant or essential theme of the object described by such phrase. For instance, when the phrase refers to films "which are distinguished or characterized by an emphasis upon" the depiction or description or specified sexual activities or specified anatomical areas, the films so described are those whose dominant or predominant character and theme are the depiction of the enumerated sexual activities or anatomical areas. See Pringle v. City of Covina, 115 Cal.App3 151 (1981).

G. Regularly features: The term "regularly features" with respect to an adult theater or adult cabaret means a regular and substantial course of conduct. The fact that live performances which are distinguished or characterized by an emphasis upon the display or specified anatomical areas or specified sexual activities occurs on two (2) or more occasions within a thirty (30) day period; three (3) or more occasions within a sixty (60) day period; or four (4) or more occasions within a one hundred and eighty (180) day period, shall to the extent permitted by law be deemed to be a regular and substantial course of conduct.

H. School: The term "school" as used in this ordinance, is any child or day care facility, or an institution of learning for minors, whether public or private, offering instruction in those courses of study required by the California Education Code and maintained pursuant to standards set by the State Board of Education. This definition includes a nursery school, kindergarten, elementary school, middle or junior high school, senior high school, or any special institution of education, but it does not include a vocation or professional institution of higher education, including a community or junior college, or university.

I. Semi-nude: Means a state of dress in which clothing covers no more than the genitals, pubic region, buttocks, areola of the female breast, as well as portions of the body covered by supporting straps or devices.

J. Park: Means any public, local, State, or Federal park, greenbelt, recreational area, baseball/softball field, athletic field, tennis courts, wildlife area, or other area established for public gatherings or recreation.

Sec. 27.03 Special Regulations

This district classification is intended to be applied when Adult~Oriented Businesses, as defined herein, request to be located within the City of Colusa. The following specific regulations shall apply:

A. Uses permitted in an "A-O" Special Adult-Oriented Combining District shall be as follows: Adult~Oriented Businesses set forth in Section 27.02.D which are at certain distances from certain specified land uses or zones as set forth below:

1. A minimum of 500' radius be provided between the "Adult-Oriented Business Use" and any existing church, school, public or private day care facility, licensed or private school, public or private recreational park or residence.
2. No such business shall be established or located, or within a 500 foot radius of any other Adult-Oriented Business.

The distances set forth above shall be measured as a radius from the primary entrance of the Adult-Oriented Business to the property lines of the property so zoned or used without regard to intervening structures.

B. The "A-O" use shall be required to apply for and obtain an Adult-Oriented Business Regulatory Permit (A-OBRP). Since an Adult-Oriented Business Regulatory Permit (A-OBRP) is a "discretionary project" under the California Environmental Quality Act (CEQA), granted or not, an Environmental Determination must be made requiring either a Negative Declaration or an Environmental Impact Report (EIR) to be prepared.

C. Hours of operation shall be from 6:00 AM to 2:00 AM.

D. Off street parking shall be required as for restaurants or as determined by the Planning Commission as stated in Article No. 29 of the City of Colusa Zoning Ordinance as a condition of the Adult-Oriented Business Regulatory Permit (A-OBRP).

E. Signage shall be in accordance with Article 31 of the City of Colusa Zoning Ordinance.

Sec. 27.04 AMORTIZATION OF NON-CONFORMING ADULT~ORIENTED BUSINESS USES

A. Any use of real property existing on the effective date of this ordinance, which does not conform to the provisions of Article 27, but which was constructed, operated, and maintained in compliance with all previous regulations, shall be regarded as a non-conforming use which may be continued for five (5) years after the effective date of this ordinance. On or before such date, all such non-conforming uses shall be terminated

unless an extension of time has been approved by the City Council/Planning Commission in accordance with the provisions of Article 27.

1. **Abandonment:** Notwithstanding the above, any discontinuance or abandonment of the use of any lot or structure as an Adult~Oriented Business shall result in a loss of legal non-conforming status of such use.
2. **Amortization ~ annexed property:** Any Adult~Oriented Business which was a legal use at the time of annexation of the property and which is located in the City, but which does not conform to the provision of Article 27 shall be terminated within one (1) year of the date of annexation unless an extension of time has been approved by the City Council/Planning Commission in accordance with the provisions herein.

B. EXTENSION OF TIME FOR TERMINATION OF NON-CONFORMING USE.

The owner or operator of a non-conforming use as described in this Section may apply under the provisions of this section to the Planning Commission for an extension of time within which to terminate the non-conforming use.

1. **Time and manner of application:** An application for an extension of time within which to terminate a use made non-conforming by the provisions of this Section may be filed by the owner of the real property upon which such use is operated, or by the operator of the use. Such an application must be filed with the Colusa City Planning Department at least ninety (90) days but no more than one hundred eighty (180) days prior to the time established herein for termination of such use.
2. **Content of application; fees:** The application shall state the grounds for requesting an extension of time. The filing fee for such application shall be the same as that for a variance as is set forth in the schedule of fees established by resolution from time to time by the City Council.
3. **Hearing procedure:.** The City Council shall appoint a commission or hearing officer to hear the application. The application shall be set for hearing within forty-five (45) days of receipt of the application. All parties involved shall have the right to offer testimonial, documentary and tangible evidence bearing on the issues; may be represented by counsel; and shall have the right to confront and cross-examine witnesses. Any relevant evidence may be admitted that is the sort of evidence upon which reasonable persons are accustomed to rely in the conduct of serious affairs. Any hearing under this section may be continued for a reasonable time for the convenience of a party or a witness. Appeal from any decision of the commission or hearing officer may be made in writing to the City Council within ten (10) days from the date of the commission or hearing officer's decision. Such application shall be accompanied by a fee in an amount as established from time to time by resolution of the City

Council. The decision of the Council shall be final and subject to judicial review.

- 4. Approval of extension; findings:** An extension under the provisions of this section shall be for a reasonable period of time commensurate with the investment involved, and shall be approved only if the Planning Commission makes all of the following findings or such other findings as are required by law:

- (a) The applicant has made a substantial investment (including but not limited to lease obligations) in the property or structure on or in which the non-conforming use is conducted; such property or structure cannot be readily converted to another use; and such investment was made prior to the effective date of this ordinance.
- (b) The applicant will be unable to recoup said investment as of the date established for termination of the use; and
- (c) The applicant has made good faith efforts to recoup the investment and to relocate the use to a location in conformance with this Section.

ARTICLE 28 FIRE ZONES

Sec. 28.01

For the purpose of decreasing the hazard from fire and for the protection of property therefrom, the City of Colusa is hereby declared to be, and is hereby established a Fire District, and said Fire District is divided into two zones designated Fire Zones Two and Three.

Sec. 28.02:

Fire Zone Two shall include all areas in the City designated R-3 Neighborhood Apartment District, R-4 General Apartment District, C-G General Commercial District, C-N Neighborhood Business District, C-G-F General Commercial District (Special Highway Frontage District), M-1 Light Industrial District, M-2 General Industrial District and M-L Limited Industrial District as said districts are defined and specified in the "Colusa Zoning Ordinance" and amendments thereto.

Sec. 28.03:

Fire Zone Three shall include all areas in the City designated R-1 Single Family Residence District and R-2 Two Family Residence District, as said districts are defined and specified in the "Colusa Zoning Ordinance" and amendments thereto.

Sec. 28.04:

Buildings or structures hereafter erected, constructed, moved within or into any of the foregoing Fire Zones shall be subject to the provisions and restrictions set forth in the "Uniform Building Code," as adopted by the City of Colusa.

Sec. 28.05:

Fire Zones in the following Zoning Districts shall be designated by the City Council in consideration of fire safety standards and recommendations of the Fire Chief and Building Official in each particular case, and such fire zone designations shall be shown on the Colusa Zoning Map whenever it is amended to establish any of the said Zoning Districts, which are:

- PD, Planned Development Districts
- P-F, Public Facilities Districts
- O-S, Open Space Districts
- F-W, Floodway Districts

ARTICLE 29 OFF-STREET PARKING REQUIREMENTS

Sec. 29.01

Parking Requirements: At the time of the erection of any building or structure hereinafter listed, or at the time any such building or structure is enlarged, or its capacity is increased, or the existing use is intensified, modified, or changed, and the cost of construction of said enlargement or intensification is 50 per cent or more than the value of the original building or structure as computed by multiplying by four the Colusa County Assessor's current assessed valuation of said original building or structure, there shall be provided for new construction, enlargement or increased capacity and for the original building or structure the minimum off-street parking space for the total thereof, together with adequate provisions for safe ingress and egress, and such parking space shall at all times thereafter be maintained in connection with such building or structure. Any fractional space shall constitute one additional required space. For example, if computed requirements equal 9.2 spaces, ten spaces shall be required.

EXCEPTION: Presently zoned and developed commercial property is exempt from parking requirements as herein set forth.

In the event the enlargement or increase in capacity or intensification of use of an existing building or structure has a cost of less than 50 percent of four times the Colusa County Assessor's assessed value of the original building or structure, in such case only the minimum off-street parking space specified herein for such enlargement, increase in capacity or intensification of use shall be required, and the property owner shall not be required to bring the off-street parking requirements for the existing building up to existing Code requirements:

<u>Use</u>	<u>Off-Street Parking Space Requirements</u>
A. Single-family dwelling	1 Single Car Garage or Carport.
B. Two-family dwelling	1 Garage or Carport space per dwelling unit
C. Multiple-family dwelling	1.5 Covered Parking Spaces per dwelling unit.
D. Second Unit	1 Garage or Carport space per unit in addition to spaces required for main dwelling
E. Hotel	1 parking space per bedroom plus 2 additional parking spaces.
F. Motel	1 parking space for each unit plus 2.

G.	Church, social hall, club, lodge, community center, or other place of public assembly	1 parking space for each 5 seats in the principal seating area, or 1 parking space for every 45 square feet in the principal seating area, whichever is the greater, plus 1 passenger loading space.
H.	Day Care Center	1 parking space for each 200 square feet of gross floor area, plus 1 passenger loading space.
I.	Convalescent hospital	1 parking space for each 3 beds within the facility.
J.	Mortuary	1 parking space for every 4 seats in the principal seating area plus 3 parking spaces or 1 parking space for each 40 square feet in the principal seating area, whichever is the greatest.
K.	Theater	1 parking space for every 4 seats in the theater.
L.	Bowling alley	5 parking space per each bowling lane plus 1 parking space for each 200 square feet of gross floor area devoted to accessory uses.
M.	Professional office and personal service	1 parking space for each 300 square feet of gross floor area plus 1 parking space per office.
N.	Medical offices and clinics	1 parking space for each 200 square feet of gross floor area.
O.	Personal services	1 parking space for each 200 square feet of gross floor area.
P.	Drive-in restaurant	1 parking space for each 50 square feet of gross floor area.
Q.	Auto repair shops	1 parking space for each 500 square feet of gross floor area.
R.	Laundromat	1 parking space for each 200 square feet of gross floor area.

S.	Retail store	1 parking space for each 200 square feet of gross floor area.
T.	Restaurants	1 parking space for each 4 seats.
U.	Warehousing	1 parking space for each 1000 square feet of gross floor area.
V.	Bulk retail store	1 parking space for each 450 square feet of gross floor area.
W.	Industrial uses	1 parking space for each 1000 square feet of gross floor area.
X.	Merchandise loading space requirement	Every hospital, institution, hotel, commercial or industrial building hereafter erected or established on a lot which abuts upon an alley or is surrounded on all sides by streets, shall have one (1) permanently maintained loading space of not less than ten (10) feet in width, twenty (20) feet in length, and fourteen (14) feet in height, for each four thousand (4000) square feet of lot area upon which said building is located; provided, however, that not more than two (2) such spaces shall be required on any lot.

Sec. 29.02 General Conditions Modifying Minimum Off-Street Parking Requirement

A. Where adjoining parcel owners wish to cooperate in the establishment and operation of joint parking facilities in situations where the maximum parking demands are generated at different times by the established uses, application may be made to the Planning Director for a Minor Use Permit to combine facilities and to thereby reduce the total number of off-street parking spaces required.

B. Where a motel use includes ancillary restaurant, bar, and convention facility uses, upon an appropriate showing and application, the Planning Director may, by Minor Use Permit, reduce the combined off-street parking space requirement up to maximum of 50 per cent of the off-street parking required for ancillary uses only.

C. Recognizing that each type of industrial development generates a different off-street parking need, the Planning Commission may, upon an appropriate application and an adequate showing, by use permit, reduce the off-street parking requirement from the

minimum established above. Parking spaces waived by such procedures shall remain either in landscaped area or in unimproved open space in order to insure that additional parking space areas would be available for development if the industrial use were intensified subsequently.

D. It is recognized that certain uses may be unique in their parking demands, and that certain locations within a given zone may, as a result of existing developed areas within the zone, have unique traffic congestion or on-street parking problems, which for new developments require off-street parking greater in quantity than the minimums set forth above. In those cases in which such facts exist and in which the proposed improvement or use requires a Minor Use Permit, the Planning Director shall have the power to impose off-street parking space requirements greater than those set forth as minimums hereinabove.

E. Where the site for the proposed use or development cannot satisfactorily provide all of the required off-street parking spaces, for the proposed use or development, upon appropriate application and an adequate showing, the Planning Commission may, by use permit, permit the minimum off-street parking requirements to be satisfied by the provision of off-site, off-street parking facilities, provided that such facilities are located within not more than 400 feet from the site of the proposed use or improvement.

F. By Minor Use Permit the Planning Director may waive the requirement that covered parking spaces be located on the rear one-half of the lot where adequate evidence is submitted that location elsewhere would not injure adjoining properties and that location on the rear half of the lot is not feasible or practicable in connection with a compatible designed use permitted within the zone in which the lot is located.

G. By Minor Use Permit the Planning Director may reduce off-street parking spaces required on a gross floor area basis if that floor area can be shown to be used strictly as common use such as corridors, utility rooms, restrooms and similar areas.

Sec. 29.03 Off-Street Parking Requirements for General Service Hospitals.

At the time of construction of any general service hospital, or at the time any general service hospital is enlarged, or increased in capacity, or where the use is intensified by the addition of floor space, or bed space, there shall be provided for such new construction, enlargement or increased capacity one parking space for every four beds, plus one parking space for every four employees.

Sec. 29.04 Minimum Parking Specifications.

All off-street parking and garage spaces and access thereto required by the provisions of this chapter shall be improved and maintained in accordance with the following requirements. The following provisions of this paragraph shall not apply to areas used solely for display or as sales areas for such products as boats, trailers, automobiles, trucks and heavy equipment.

A. Such spaces and access shall be either in an enclosed garage or carport or open surfaced storage area, and if used in conjunction with or accessory to commercial, industrial, professional office or multiple dwelling uses shall be paved with chips and seal coat, or asphalt concrete or concrete paving, and shall have adequate draining and grading as approved by the City Engineer.

B. Every garage space or parking space shall be provided with adequate ingress and egress, and shall have a minimum length of twenty (20) feet and a minimum width of nine (9) feet.

C. Where five or more parking spaces are required by the provisions of this chapter and such spaces will be used by the general public or business invitee of the owner or lessee of the premises, the following requirements shall also be applied:

1. Contrasting paint or other easily distinguishable material shall be installed and maintained thereafter to designate each parking space in a clearly identifiable manner.

2. The off-street parking areas shall provide suitable maneuvering areas so that all vehicles parking therein may exit onto any adjoining street in a forward direction.

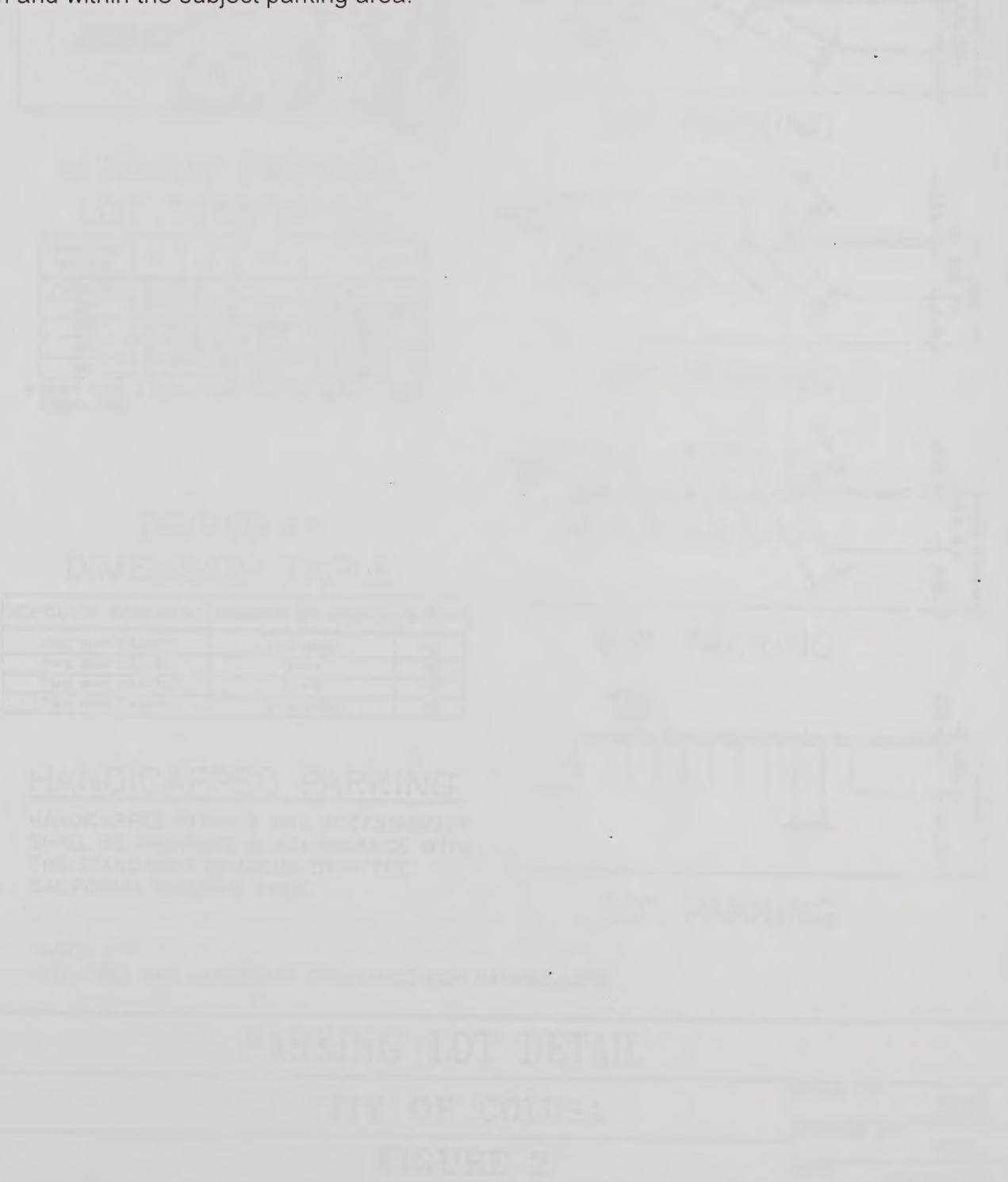
3. Where parking spaces abut public property or private property not under the ownership or lease of the person having ownership or control over the subject parking spaces, bumper guards or wheel stops shall be provided for all such abutting parking spaces in such a manner as to prevent encroachment of vehicles over property lines or damage to walls or fences.

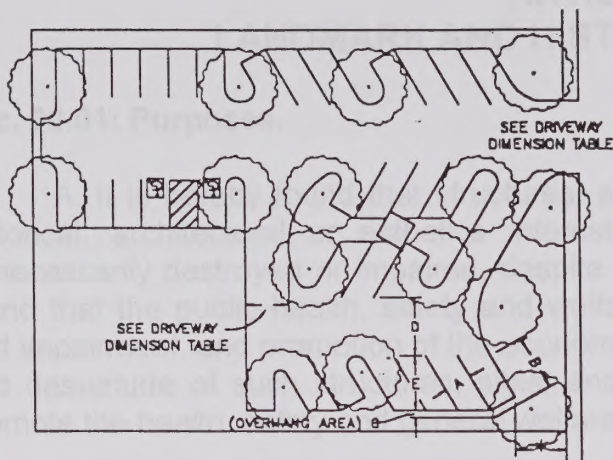
4. Where such parking area abuts or adjoins property or private property zoned for "R" uses, it shall be separated therefrom by solid masonry wall or wooden fence not less than four (4) feet, nor more than six (6) feet high. Walls within sixteen (16) feet of any street shall be not less than two feet six inches (2'6") nor more than three (3) feet high. No wall shall be required where exists a wall which complies with the requirements of this paragraph, either on the common property line or adjacent thereto on either side of the common property line, provided, however, that if such wall is thereafter removed, a replacement wall shall be required forthwith. Where a wooden fence is substituted for a solid masonry wall, such fence shall be constructed so that a person cannot see through it and shall have fence posts either of wood treated to resist rot and termites, or of iron or steel, and in all cases fence posts must be set in concrete.

5. Where such off-street parking area is used or to be used by the general public or business invitee for after-dark parking, lighting facilities capable of providing a minimum of 0.5 feet candle illumination at every point of the parking area shall be installed and maintained. Such lighting shall so be arranged as to reflect the light away from adjoining premises and streets. Credit shall be given for adjoining public street illumination where such illumination satisfies this requirement as to any portion of such off-street parking area.

6. Under no circumstances shall walls, fences or shrubbery be placed or maintained on the property in such a manner as to interfere with visibility so as to endanger safe ingress and egress.

7. The following parking lot layouts are approved. Proposed off-street parking lot layouts submitted to satisfy the requirements of this section, which deviate in design from the patterns provided below, must demonstrate that adequate provision is afforded for safe ingress and egress and adequate aisle width and maneuvering area are provided for safe maneuvering of vehicles therein and that the design provides for safe pedestrian traffic to, from and within the subject parking area.





MINIMUM PARKING LOT STANDARDS

PARKING ANGLE	A	B	C	D	E
PARALLEL	9' 0"	24' 0"		12' 0"	
30°	9' 0"	20' 0"	1' 3"	14' 0"	17' 13/16"
45°	9' 0"	20' 0"	1' 9 3/16"	15' 0"	20' 6"
60°	9' 0"	20' 0"	2' 2"	19' 0"	21' 9 7/8"
90°	9' 0"	20' 0"	2' 6"	27' 0"	20' 0"

* FRONT YARD & STREET SIDE YARD SET BACKS - SEE ZONING CODE.

DRIVEWAY DIMENSION TABLE.

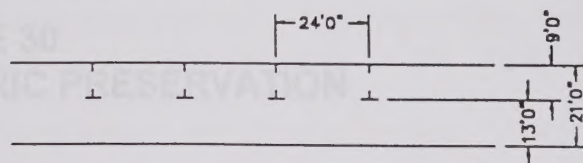
VEHICULAR MOVEMENT	NUMBER OF SPACES	WIDTH
ONE WAY TRAFFIC	2 OR MORE	12'
TWO WAY TRAFFIC	2 - 4	12'
TWO WAY TRAFFIC	5 - 8	16'
TWO WAY TRAFFIC	9 OR MORE	22'

HANDICAPPED PARKING

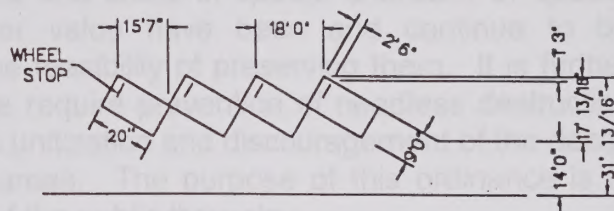
HANDICAPPED PARKING AND ACCESSIBILITY SHALL BE PROVIDED IN ACCORDANCE WITH THE STANDARDS ESTABLISHED IN THE CALIFORNIA BUILDING CODE.

NOTE:

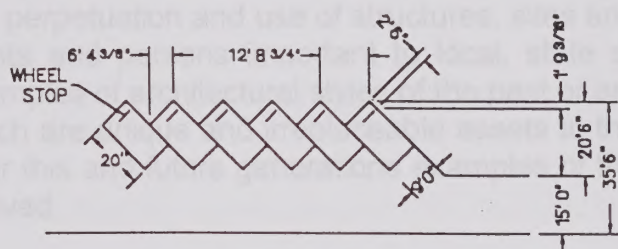
SEE TREE AND LANDSCAPE ORDINANCE FOR PARKING LOTS



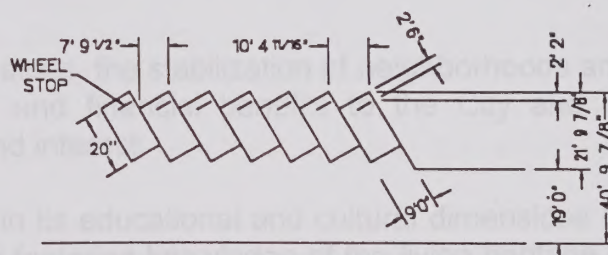
PARALLEL PARKING



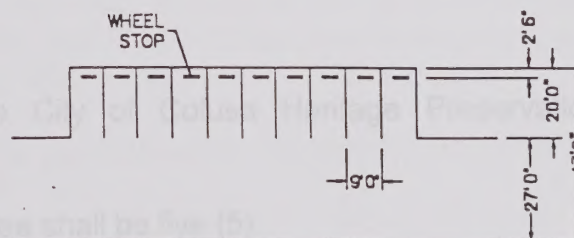
30° PARKING



45° PARKING



60° PARKING



90° PARKING

PARKING LOT DETAIL

CITY OF COLUSA

FIGURE 2

DRAWN BY *KCL*
 CHECKED BY *KCL*
 DATE 10/21/99

ARTICLE 30

LANDMARK AND HISTORIC PRESERVATION

Sec. 30.01: Purposes.

A. It is hereby found that structures, sites and areas of special character or special historical, architectural or esthetics interest or value have been and continue to be unnecessarily destroyed or impaired, despite the feasibility of preserving them. It is further found that the public health, safety and welfare require prevention of needless destruction and impairment, and promotion of the economic unitization and discouragement of the decay and desuetude of such structures, sites, and areas. The purpose of this ordinance is to promote the health, safety and general welfare of the public through:

1. The protection, enhancement, perpetuation and use of structures, sites and areas that are remainders of past eras, events and persons important to local, state or national history, or which provide significant examples of architectural styles of the past or are landmarks in the history of architectural, or which are unique and irreplaceable assets to the City and its neighborhoods, or which provide for this and future generations examples of the physical surroundings in which past generations lived;
2. The development and maintenance of appropriate settings and environment for such structures;
3. The enhancement of property values, the stabilization of neighborhoods and areas of the City, the increase of economic and financial benefits to the City and its inhabitants, and the promotion of tourist trade and interest;
4. The enrichment of human life in its educational and cultural dimensions by serving aesthetic as well as material needs and fostering knowledge of the living heritage of the past.

Sec. 30.02: Establishment.

A. There is hereby established for the City of Colusa Heritage Preservation Committee.

B. The number of members of the Committee shall be five (5).

C. From and after the effective date of this ordinance, any new appointee to the committee shall be required to be a resident of the City of Colusa. The Council shall appoint five (5) members of the Committee. The Council shall, by lot, determine that three (3) of the members shall serve for terms of Two (2) years and two (2) shall serve for One (1) year, and shall make the original appointments in that manner. Thereafter, and at the appropriate time, the Council shall appoint the appropriate number of members for terms of Two (2) years.

D. The Committee shall hold its regular meetings on a monthly basis in the Council Chambers of the City at a time in accord with the posted agenda. The Committee may adjourn any regular or adjourned regular meeting to a date specified in the order of adjournment. When so adjourned, the adjourned meeting becomes a regular meeting for all purposes. In the event the regular meeting falls on a holiday, the regular meeting shall be held the following evenings at the same hour and place.

E. Special meetings shall be held upon the call of the Chairperson and upon giving such notice as is required by law.

F. The Committee shall, immediately after the effective date of this ordinance, and thereafter once each year at a regular meeting, choose one of its members to act as Chairperson, Vice-Chairperson and Secretary.

G. The Committee shall cause the Secretary to keep a complete and accurate record of its proceedings.

H. A majority of the members of the Committee shall constitute a quorum for the transaction of business.

I. Any vacancy occurring by reason of death, disability or resignation shall be filled by the City Council.

J. If a member absents himself without permission of the Chairperson from all regular meetings for Sixty (60) days consecutively from the last regular meeting he attended, his office becomes vacant and shall be filled by appointment by the City Council.

All appointments by the City Council to fill vacancies shall be for the balance of the unexpired term of the vacant office.

Sec. 30.03: Powers and duties.

The Heritage Preservation Committee shall have the power to recommend to the Planning Commission appropriate action in the following areas; and the Planning Commission shall act upon said recommendation and/or recommend appropriate actions to the City Council:

A. Shall recommend to the City Council, after public hearing, concerning designation of landmarks and historic districts.

B. May establish and maintain a list of structures and other landmarks deserving official recognition although not designated as landmarks or historic districts, and take appropriate measures for recognition.

C. Shall hear and determine permit applications for construction, alteration, demolition and remedial work on landmark sites and in historic districts.

D. May take steps to encourage or bring about preservation of structures or other features where the Heritage Preservation Committee has decided to suspend action on a permit application, as provided in Section 30.05(e).

E. May upon request of the property owner, advise with respect to any proposed work not requiring a city permit, on a designated landmark site or in a designated historic district. Examples of the work referred to are paint and repainting of exterior surfaces, roofing, fencing, landscaping, glazing and installation of lighting fixtures. In advising, the Heritage Preservation Committee shall be guided by the purposes and standards specified in this article. This Section 30.03 does not impose regulations or controls of the use of any property.

F. The Heritage Preservation Committee may formulate and develop financial procedures in order to establish and maintain a fund for the purpose of Heritage Preservation.

Sec. 30.04: Designation of Landmarks and Historic Districts

A. The City Council may by ordinance designate:

1. One or more individual structures or other features, or integrated groups of structures and features, on one or more lots or sites, having a special character or special historical, architectural or aesthetic interest or value, as landmarks, and shall designate a landmark site for each landmark; and
2. One or more areas containing a number of structures having special character or special historical, architectural or aesthetic interest or value, and constituting distinct sections of the City, as historic districts.

B. Each designating ordinance shall include a description of the characteristics of the landmark or historic district which justify its designation, and a list of any particular features in addition to those features which would be affected by work described in subsections 1,2, or 3 of Section 30.01, that are to be preserved, and shall specify the locations and boundaries of the landmark site or historic district.

C. The property designated shall be subject to the controls and standards contained in this article. In addition, the property shall be subject to the following further controls and standards if imposed by the designating ordinance:

1. For a publicly owned landmark, review of proposed changes in major interior architectural features.
2. For a historic district, such further controls and standards as the City Council finds necessary or desirable, including but not limited to facade, set back and height controls.

D. The City Council may amend or rescind a designation only by ordinance, after Planning Commission and City Council hearings as required for original designation.

E. Initiation of designation proceedings shall be by resolution of the City Council or Planning Commission, or by the written application of the property owners. Applications for designations shall be filled with the Planning Department upon forms prescribed by the Planning Director, and shall be accompanied by all data required by the Planning Commission. An application for designation of a historic district must be subscribed by or on behalf of at least Fifty-One Percent (51%) of the property owners in the proposed district. The date of initiation is the date the resolution is adopted or a valid application is filed.

F. Where Planning Commission and City Council hearings are required, the proceedings for recommendation, and for referral in cases where the City Council does not follow the recommendation, shall be the same as those provided in Article 36 for rezoning.

G. Hearing by Planning Commission. The Planning Commission shall hold a public hearing on the proposal, with notice given as provided for rezoning in Article 36.

1. **Action and Time Limit.** The Planning Commission shall consider the degree of conformity of the proposed designation with the purposes and standards of this article and the General Plan. The Planning Commission shall approve, approve with modifications, or disapprove the proposal within One Hundred Twenty (120) days after the initiation of designation proceedings.

2. **Notice of Action.** The Planning Commission shall promptly notify the applicant of action taken. If the Planning Commission approves or modifies the proposed designation in whole or in part, it shall transmit the proposal, together with a copy of the resolution of approval to the City Council.

H. Designation by City Council. The City Council shall hold a public hearing concerning the designation. Notice of time and place of the hearing shall be given in the time and manner provided for the giving of notice of the hearing by the Commission. The City Council may deny, approve, or modify and approve, the designation.

I. Notice of Designation by City Council. When a landmark or historic district has been designated by the City Council, the City Clerk shall promptly notify the owners of the property included therein. The City Clerk shall cause a copy of the designating ordinance, or notice thereof, to be recorded in the office of the County Recorder.

Sec. 30.05: Construction, Alteration, Demolition or Removal.

A. **Conformity Required.** Construction, alteration, demolition or removal work for which a City permit is required is prohibited on a designated landmark site or in a designated historic district unless approval by the Heritage Preservation Committee has been granted as provided in this Section, or unless the work conforms with the provisions of Section 30.01

B. **Permit Required.** No person shall do any work listed below without first obtaining a permit from the Heritage Preservation Committee.

1. Exterior alteration to a designated landmark.
2. Interior alterations that would affect the exterior of a designated landmark.
3. Construction of any type on a landmark site or within a historic district unless excepted by the designating ordinance, or of a type which does not affect the exterior appearance of the site, district or any structure on the site or in the district.

C. Application for Permit. The Planning Department shall maintain a current record of designated landmarks and historic districts. Applications for permits to do work for which a permit is required shall be submitted to the Planning Department for processing. Applications shall include plans and specifications showing the proposed exterior appearance, color and texture of materials, and the proposed architectural design of the exterior of the structure. Where required by the Heritage Preservation Committee applications shall also show the relationship of the proposed work to the environs. If the application does not provide sufficient information for review by the Heritage Preservation Committee the Planning Department shall request the omitted information from the applicant, and the applicant shall supply it.

D. Decision, Time Limitation. The Heritage Preservation Committee shall ascertain whether the proposed work conforms to this article and with the provisions of the designating ordinance. The Heritage Preservation Committee shall approve, approve with conditions, suspend or disapproved the application within One Hundred Twenty (120) days after the filing of a complete application with the Planning Department.

E. Suspended Action. To obtain sufficient time for steps necessary to preserve the structure concerned, the Heritage Preservation Committee may suspend action on an application to permit construction, alteration, demolition or removal for a period not to exceed One Hundred Eighty (180) days. The City Council may, by resolution, extend the suspension for an additional period not to exceed One Hundred Eighty (180) days, if the resolution is adopted not more than Ninety (90) days and not less than Thirty (30) days prior to the expiration of the original One Hundred Eighty (180) day period. During the suspension period, the Heritage Preservation Committee may consult with civic groups, public agencies, and interested citizens, make recommendations for acquisition of property by public or private bodies or agencies, explore the possibility of moving one or more structures or other features, and take any other reasonable measures.

F. Standards for Review. In evaluating applications, the Heritage Preservation Committee shall consider the architectural style, design, arrangement, texture, materials and color, and any other pertinent factors. Applications shall not be granted unless:

1. On landmark sites, the proposed work will neither adversely affect the exterior architectural characteristics or other features of the landmark (and, where specified in the designating ordinance for a publicly-owned landmark, its major interior architectural features) nor adversely affect the character or historical, architectural or aesthetic interest or value of the landmark and its site.

2. In historic districts, the proposed work will neither adversely affect the exterior architectural characteristics or other features of the property which is the subject of the application, nor adversely affect its relationship, in terms of harmony and appropriateness, with its surroundings, including neighboring structures, nor adversely affect the character, or the historical, architectural or aesthetic interest or value of the district. In any event applications shall not be granted for work which violates standards included in the designating ordinance.

G. Criteria to be established. The Heritage Preservation Committee shall formulate criteria for the evaluation of and for the approval for denial of applications.

The criteria shall be submitted to the Planning Commission and shall not become effective until approved by the Planning Commission. Prior to approval, the Planning Commission may change or modify the criteria as submitted. At the time of approval, the Planning Commission shall adopt the criteria by resolution.

After adoption the Planning Commission may, by resolution, make such changes or modifications in the criteria as the Commission may, from time to time, deem advisable.

H. Showing of Hardship in Cases of Proposed Alterations, Demolitions or Constructions. If the applicant presents facts clearly demonstrating to the satisfaction of the Heritage Preservation Committee that failure to approve his application will work immediate and substantial hardship because of conditions peculiar to the particular structure or other feature involved, the committee may approve such application even though it does not meet the standards set forth in either the enabling or designating ordinance.

Sec. 30.06: Applicability and Enforcement

A. Applicability

1. No application for a permit to construct, alter, demolish or remove any structure or other feature on a proposed landmark site or in a proposed historic district, filed subsequent to the date of initiation of proceedings to designate the landmark site to or historic district, shall be approved while the proceedings are pending; provided, however, that if final action on the designation has not been completed One Hundred Eighty (180) days after initiation of designation proceedings, the permit application may be approved.

2. The provisions of this article shall be inapplicable to the construction, alternation, demolition or removal of any structure or other feature on a landmark site or in a historic district, where a permit for the performance of such work was issued prior to initiation of proceedings for designation of the landmark site or historic district, and where such permit has not expired or been canceled or revoked, provided that construction is started and diligently prosecuted to completion in accordance with the Building Code.

B. Unsafe or Dangerous Conditions. None of the provisions of this article shall prevent any measures of construction, alteration, or demolition necessary to correct the said condition, provided, however, that only such work as is absolutely necessary to correct the unsafe or dangerous condition of any structure, other feature, or part thereof, where such condition has been declared unsafe or dangerous by the Building Official or the Fire Marshal, and where the proposed measures have been declared necessary, by such official, to correct the unsafe and dangerous condition and as is done with due regard for preservation of the appearance of the structure involved may be performed pursuant to this section. In the event any structure or other feature shall be damaged by fire, or other calamity, or by act of God, to such an extent that in reasonably the opinion of the aforesaid officials it cannot be repaired and restored, it may be removed in conformity normal permit procedures and applicable laws.

C. Duty to Keep in Good Repair. The owner, lessee, and other person in actual charge or possession of a landmark, or of a structure in a historic district, shall keep in good repair all of the exterior portions of such landmark or structure, all of the interior portions thereof when subject to control as specified in the designating ordinance, and all interior portions thereof whose maintenance is necessary to prevent deterioration and decay of any exterior portion.

D. Filing Fees. There shall be no filing fee for any application, or to commence any proceedings, under this article.

E. Enforcement.

1. Duty to Administer and Enforce. It shall be the duty of the Planning Director, or authorized delegate, to administer and enforce the provisions of this article. Upon request, the Building Official shall assist the Director of Planning in the performance of this duty.

2. Inspection of Premises. In the performances of his duties, the Planning Director and authorized employees of the Planning Department shall have the right to enter any building or premises for the purposes of investigation and inspection; provided, that such right of entry shall be exercised only at reasonable hours, and that in no case shall entry be made to any building in the absence of the owner or tenant thereof without the written order of a court of competent jurisdiction.

F. Methods of Enforcement. In addition to the regulations of this article, the other portions of the Zoning Ordinance and City Code governing the approval or disapproval of applications for building permits or other permits or licenses affecting the use of land or buildings, the Planning Director shall have the authority to implement the enforcement thereof by serving notice requiring the removal of any violation of this article upon the owner, agent, tenant or occupant of the building or land, or upon the architect, builder, contractor or other person who commits or assists in any such violation.

G. Appeals Procedure. Any affected party who is aggrieved by the action of the Heritage Preservation Committee may appeal for relief from such action to the Planning Commission. Any affected party included the Heritage Preservation Committee who is

aggrieved by the action of the Planning Commission may appeal for relief to the City Council. In either of the foregoing cases, the aggrieved party shall file such appeal in writing with the proper agency within 10 days from the date of the Committee or Commission action.

Sec. 31.01

Whenever conflict occurs between this and other sections of this ordinance, the provisions of this section shall prevail.

Sec. 31.02: Permits and fees.

Where minor Use Permits are required by sections of this Ordinance, applicable fees shall be paid as established by resolution of the City Council.

Sec. 31.03: Types of Signs.

A. The following types of signs shall be permitted in all districts, as long as they are kept good repair:

1. Residential name and/or address signs, one per residence not exceeding two square feet in size.
2. Home occupation sign, identifying home occupation, not exceeding two square feet and placed flat against building wall.
3. For sale, rent or lease sign, one per site, not exceeding four square feet in size.
4. Temporary, non-conforming signs or off-site tract signs may be permitted only upon the approval of a use permit.

B. The following types of signs shall be permitted for uses which are permitted in R-3 and R-4 Districts:

1. Apartment nameplate and signs identifying permitted non-residential uses, one per site, not exceeding six square feet in size, excepting no sign shall be within the front yard setback without approval of a use permit.
2. Non-conforming signs or additional signs may be permitted only upon the approval of a use permit.

C. The following types of signs shall be allowed for uses which are permitted in "C" and "M" Districts:

1. Only signs that pertain directly to the name and nature of the operation or service offered on the site, and subject to the following:

ARTICLE 31 OUTDOOR ADVERTISING SIGN REGULATIONS

Sec. 31.01

Wherever conflict occurs between this and other sections of this ordinance, the provisions of this section shall prevail.

Sec. 31.02: Permits and fees.

Where minor Use Permits are required by sections of this Ordinance, applicable fees shall be paid as established by resolution of the City Council.

Sec. 31.03: Types of Signs.

A. The following types of signs shall be permitted in all districts, as long as they are kept good repair:

1. Residential name and/or address signs, one per residence not exceeding two square feet in size.
2. Home occupation sign, identifying home occupation, not exceeding two square feet, and placed flat against building wall.
3. For sale, rent or lease sign, one per site, not exceeding four square feet in size.
4. Temporary, non-conforming signs, or off-site tract signs may be permitted only upon the approval of a use permit.

B. The following types of signs shall be permitted for uses which are permitted in R-3 and R-4 Districts:

1. Apartment nameplates and signs identifying permitted non-residential uses; one per site, not exceeding six square feet in size, excepting no sign shall be within the front yard setback without approval of a use permit.
2. Non-conforming signs or additional signs may be permitted only upon the approval of a use permit.

C. The following types of signs shall be allowed for uses which are permitted in "C" and "M" Districts:

1. Only signs that pertain directly to the same and nature of the operation or service offered on the site, and subject to the following:

(a) **C-N Districts**-signs which are placed parallel to the wall of the building on the site and project not more than two feet therefrom, which are at least eight feet (8 feet) above ground or sidewalk level and extend no higher than the building main roof line or twenty five (25) feet maximum; which do not exceed one square foot of sign area for each lineal foot of site street frontage, and which do not exceed fifty square feet in total sign area per site.

(b) **C-G, C-H and M Districts**- signs which are attached to a building or approved structure and not more than four feet from the wall thereof, which are at least eight feet above the ground or sidewalk level, and extend no higher than the main roof line, and in no case more than twenty five (25) feet, do not exceed two square feet of sign areas for each foot of site street frontage, and which may not exceed two hundred and forty square feet in total sign area per site.

2. Upon approval of a Minor Use Permit in each case, the following may be permitted: (a) Free standing, temporary and pole signs, (b) signs extending above building roof lines, not extending the district height limit, (c) signs which exceed maximum permitted area, height, or number per site, or which vary from placement regulations, when the foregoing exceptions are found to be reasonable and necessary for freeway traffic service and similar operations.

Sec. 31.04

The provisions of this section shall not apply to traffic control, informational or directional signs placed by public agencies so authorized, nor to signs placed upon public property by, or by authorization of public agencies controlling such properties.

A. Temporary on-site real estate advertising signs not exceeding four square feet in area may be permitted, larger of off-site signs shall require use permits.

B. Signs may be illuminated by steady floodlighting directed toward or upon the site, or by steady interior lighting. Flashing or intermittent lighting of signs shall require use permits.

Sec. 31.05: Non-conforming signs.

Any sign which does not conform with the provisions of this article shall be removed, relocated, replaced or otherwise made conforming, as follows:

Signs erected illegally: Within one year from the effective date of this ordinance.

ARTICLE 32

GENERAL PROVISIONS AND EXCEPTIONS

Sec. 32.01

The regulations specified in this Ordinance shall be subject to the following general provisions and exceptions:

A. The Planning Commission may interpret the intent of any of the provisions hereof by written findings, which findings shall be subject to appeal to, and final determination by the City Council.

B. The regulations set forth in this Ordinance shall be subject to the following provisions and exceptions.

Sec. 32.02: Rules Governing Use of Zoning Map and Symbols.

Where uncertainty exists as to the boundaries of any district shown on the Zoning Map, the following rules shall apply:

A. Where such boundaries are indicated as approximately following property, street, alley lines, such lines shall be construed to be such boundaries.

B. In unsubdivided property and where a district boundary divides a lot, the location of such boundary, unless dimensions indicate the same, shall be determined by use of the scale appearing on the Zoning Map.

C. A symbol indicating the classification of property on the Zoning Map shall in each instance apply to the whole of the area within the district boundaries.

D. Where a public street, alley or parcel of land is officially vacated or abandoned, the regulations applicable to abutting property shall apply equally to such vacated or abandoned street or alley.

E. Where one land ownership is divided by a district boundary the total ownership may be placed in either district by approval of a variance application.

Sec. 32.03: Regulations are Minimum.

In interpreting and applying the provisions of this Ordinance, unless otherwise stated, they shall be held to be the minimum requirements for the promotion and protection of the public safety, health and general welfare.

Sec. 32.04: Relationship to Other Regulations and to Private Restrictions.

A. Where conflict occurs between the regulations of this Ordinance and any Building Code or other regulations effective within the City, the more restrictive of any such regulations shall apply.

B. It is not intended that this Ordinance shall interfere with or abrogate or annul any easement, covenants or other agreements now in effect, provided, however, that where this Ordinance imposes greater restrictions than are imposed or required by other ordinances, rules or regulations, or by easements, covenants, or agreements, the provisions of this Ordinance shall apply.

Sec. 32.05: Additional Uses Permitted.

The following accessory uses, in addition to those hereinbefore mentioned shall be permitted:

A. The operation of necessary service facilities and equipment in connection with schools, colleges and other institutions when located on the site of the principal use.

B. Recreation, refreshment and service buildings in public parks, playgrounds and golf courses.

C. Off-street parking areas in conjunction with commercial uses may be permitted in "R" Districts on properties adjoining "C" or "M" Districts upon the securing of a use permit in each case.

D. Crop and tree farming and truck gardening shall be permitted in all districts, provided that a use permit shall be required for the retail sales of the products of such use in all "R" Districts.

E. In any block of lots recorded prior to March 1972 and which is included in an R-2, R-3, or R-4 District, the lots may be re-divided so that interior lots have minimum widths of sixty (60) feet and corner lots have minimum widths of seventy (70) feet, and such corner lots may be further divided into two lots each having dimensions of sixty (60) feet by eighty (80) feet.

Sec. 32.06: Building Sites, Areas and Easements.

A. Any lot or parcel of land in one ownership having an area sufficient for more than one dwelling may be used and a building permit may be issued for such use, provided the owner thereof who changes or intends to change any existing lot line or lines or to establish new lot lines files with the City Planning Commission a record of survey map showing the

proposed lot lines and the lots and building sites to be established in conformity with the regulations of the City.

B. A detached garage or accessory building not exceeding one story in height and without living quarters may occupy not more than fifty percent of the area of a required rear yard, and a garage or accessory building that is not attached to and made a part of the main building shall not be closer than five (5) feet clear distance to the main building nor closer than five (5) feet to the rear property line or side property line.

C. In the case of a corner lot abutting upon two streets, no detached accessory building shall be erected, altered or moved so as to occupy any part of the front half of such lot.

D. Any lot of record existing prior to March 4, 1972 may only be developed by first obtaining a Certificate of Compliance or Conditional Certificate of Compliance from the City Planning Director. The development of said lot shall comply with all other applicable zoning regulations of the City of Colusa.

E. In any cluster lot design subdivision in which open space has been provided and a tentative map has been approved by the city, such lots shall be deemed to be in conformance with the provisions of this Ordinance and variances shall not be required for any such lots.

Sec. 32.07: Yards.

A. No yard or other open space provided about any building for the purpose of complying with the regulation of this Ordinance shall be considered as providing a yard or open space for any other building or structure.

B. In any case where a set-back line, building line or official plan line has been established the required yards on the street frontage of lots shall be measured in accordance with such lines and in no case shall the provisions of this Ordinance be construed as permitting any structure to extend beyond such line.

C. Garages, carports and other accessory buildings may be attached to and have a common wall with the main building, or, when located as required by this Ordinance, may be connected thereto by a breezeway.

D. Fireplaces, air conditioning units and similar architectural or utility features and eaves, but not including any flat wall or window surface, may extend into any required yard a distance not to exceed two feet and in no case more than one-half of the width of any required side yard.

E. Uncovered porches, or stairways, fire escapes or landing places may extend into any required front or rear yard a distance not to exceed six (6) feet and into any required side yard a distance not exceeding one-half of the width of the side yard required for the lot.

F. In any "R" District where fifty (50) percent or more of the building sites in any one block or portion thereof in the same district, have been improved with buildings, the required front yard shall be of a depth equal to the average of the front yards of the improved building sites, to a maximum requirement of that specified for the district but in no case less than sixteen (16) feet. Where adjoining lots are improved with buildings, the front yard required for a vacant building site shall be the average of the front yards of the adjoining lots.

G. In case a dwelling is to be located so that the front yard or rear yard thereof faces any side lot line, such dwelling be located not less than ten (10) feet from such lot line. The shorter street frontage of a corner lot shall be considered the front of the lot.

H. In the case of a corner lot adjacent to a key lot in any "R" District, the setback on the street side of the corner lot within twenty (20) feet of the side line of the key lot shall be equal to the front yard required on the key lot, and a clear five (5) foot rear yard shall be maintained on the corner lot. A key lot has a side line which is the rear line of a corner lot.

I. In "R" Districts, fences in side and rear yards shall not exceed six (6) feet in height. Height shall be measured from the natural grade of the underlying surface area to the top of the fence material.

In front yards, any fence constructed shall be no higher than four and one half (4 ½) feet above the sidewalk. In the absence of a sidewalk the height shall be measured from the natural grade of the underlying surface area to the top of the fence material. Fences in front yards shall be constructed in such a manner as not to create a solid visible barrier. The surface area of the fence is to be open so passersby can view activity on the other side of the fence for not less than thirty percent (30 %) of the surface area per square foot.

Fences in side or rear yards adjacent to alleys shall provide on each lot one recessed bay measuring not less than four by six (4 x 6) feet and usable for storage of garbage and trash containers. Doors and gates in fences or walls adjacent to streets or alleys shall be so constructed as not to swing into or otherwise obstruct any such street or alley. Such bays shall be required in "C" and "M" Districts; said bays shall measure not less than ten by ten (10 x 10) feet, set at an angle not to exceed thirty (35°) degrees from the direction of traffic, and shall be enclosed or screen fenced.

J. In any full block of lots the front yards may be varied so that: the required yard depth is not reduced more than five (5) feet, the average of all lots equals the required yard depth and corner lot yards are not reduced.

K. Nothing contained in the general provision shall be deemed to reduce special yard requirements as set forth in the regulations for any "R" or "B" District.

L. Yards required for residential buildings that may be permitted on use permit shall be as required for the particular district or for R-4 Districts, whichever yard requirements are greater.

M. All outdoor storage or equipment areas fronting on a public right-of-way or customer parking area shall be screened from view by a 6-foot high wall made of masonry or masonry pilasters and wood or similar decorative materials. Living vegetation may also be utilized provided the types of shrubbery used are of a fast growing variety and will grow into a solid barrier within 3 years of installation. All walls of fencing fronting a public right-of-way wall shall be placed in back of required landscaped areas.

N. Walls and fences in interior side or rear yards – where a commercial or industrial development is adjacent to residential property, a 6-foot high solid masonry or wooden wall shall be constructed along all common property lines. Otherwise, walls and fences not visible from the public right-of-way are not limited to a material type.

O. All walls and fences as set forth in the above sub-sections “M” and “N” that are proposed to exceed the 6 foot height limitation shall be required to obtain a Minor Use Permit.

Sec. 32.08: Height Exceptions

A. Towers, spires, chimneys, machinery, penthouses, scenery lofts, cupolas, water tanks, radio aerials, television antennae and similar architectural and utility structures and necessary mechanical appurtenances may be built and used to a height not more than twenty five (25) feet above the height limit established for the district in which the structures are located, provided, however, that no such architectural or utility structure in excess of the allowable building height shall be used for sleeping or eating quarters or for any commercial advertising purpose. Additional heights for public utility structures may be permitted upon the approval of the Planning Commission. Height limitations provided herein shall not apply to public utility transmission towers and pole lines.

Sec. 32.09: Exceptions-District Agricultural Association.

The regulations and restrictions elsewhere contained in this Ordinance shall not be applicable to any property within the City of Colusa and owned by the State of California and operated by a District Agricultural Association for use primarily as a fair grounds for conducting fairs or expositions.

Sec. 32.10: Foundations and Floor Slabs of Buildings in Relation to Adjacent Streets and Alleys.

A. No residential building shall be constructed on any property within the City of Colusa with a foundation, the top of which is less than twelve (12) inches above the curb of the street in front of said property. Where no curbs exist, the elevation that the top of the curb will have when curbs and gutters are installed in the future shall be obtained from the City Engineer and no building shall be constructed with a foundation, the top of which is less than twelve (12) inches above said elevation.

B. In cases where slab floors are to be constructed as the foundation of a residential building, no residential building shall be constructed on any property within the City of Colusa

with the top of said slab floor being less than seven (7) inches above the top of the curb of the street in front of said property. When no curbs exist then the elevation the top of the curb will have when curbs and gutters are installed in the future shall be obtained from the City Engineer, and no slab floor shall be constructed the top of which is less than seven (7) inches above said elevation. In the case of garages or carports that are to be entered from an alley, no garage or carport shall be constructed having a slab floor the top of which is less than three (3) inches above the finish grade of the alley designated by the City Engineer.

C. In cases where slab floors are to be constructed as the foundation of a commercial building, the elevation of the slab floor above the curb of the street in front of the property on which such commercial building is being constructed shall be an elevation determined by the following formula:

One-fourth inch of elevation above the curb for each foot of distance between the curb and the property line and one-eighth inch of elevation for each foot of distance between the property line and the edge of the slab floor. However, in no case shall the slab floor be constructed less than four (4) inches above the top of the curb. Where no curbs exist, the location and the elevation the top of the curb will have when curbs and gutters are installed in the future shall be obtained from the City Engineer, and such location and elevation shall be used to determine the elevation of the floor slab as herein provided. (Ordinance No. 401)

Findings by the Planning Commission

1. The findings of the Planning Commission shall be that the establishment, maintenance or operation of the use or building proposed for, with or without, under the circumstances of the particular case, be detrimental to the health, safety, peace, morals, comfort and general welfare of persons residing or working in the neighborhood of such proposed use, or to be detrimental or injurious to property and improvements in the neighborhood or to the general welfare of the City.

2. After making findings the Planning Commission may either approve, with or without conditions, or deny said Major Use Permit.

13. Revocation

1. In any case where the conditions of the granting of a Major Use Permit have not been, or are not, complied with, the Planning Commission may give notice to the permittee of intention to revoke such permit at least ten (10) days prior to a hearing thereon. Following such hearing the Planning Commission may revoke such permit.

ARTICLE 33 USE PERMITS

Sec. 33.01: Major Use Permits

Major Use Permits, which may be revocable, conditional or valid for a term period, may be issued by the Planning Commission for any of the uses or purposes for which such permits are required or permitted by the terms of this Ordinance. Guarantees to insure compliance with terms and conditions may be required by the Commission.

A. Major Use Permit Application and Fee

1. Application for a Major Use Permit shall be made to the City Planning Department in writing on a form prescribed by the City and shall be accompanied by plans and elevations necessary to show details of the proposed use or building. Such application shall be accompanied by a fee in an amount as established from time to time by resolution of the City Council and of which no part shall be returnable to the applicant.

2. The Planning Commission shall hold a Public Hearing within sixty (60) days after filing of an application for a Major Use Permit. Notice of which shall be given by one publication in a newspaper of general circulation published in the City of Colusa and by mailing notice to the applicant and owners of all property within three hundred (300) feet of any boundary of the lot or parcel for which the use permit has been filed, as such owners are shown on the last equalized assessment roll of the County of Colusa. Notice in each case to be given at least ten (10) days prior to such hearing for Categorically Exempt applications under CEQA, and twenty-one (21) days for applications under CEQA for Negative Declarations and/or environmental Impact Reports prior to such hearing.

B. Action by the Planning Commission

1. The findings of the Planning Commission shall be that the establishment, maintenance or operation of the use or building applied for will or will not, under the circumstances of the particular case, be detrimental to the health, safety, peace, morals, comfort and general welfare of persons residing or working in the neighborhood of such proposed use, or to be detrimental or injurious to property and improvements in the neighborhood or to the general welfare of the City.

2. After making findings the Planning Commission shall either approve, with or without conditions, or deny said Major Use Permit.

C. Revocation

1. In any case where the conditions of the granting of a Major Use Permit have not been, or are not, complied with, the Planning Commission shall give notice to the permittee of intention to revoke such permit at least ten (10) days prior to a hearing thereon. Following such hearing the Planning Commission may revoke such permit.

2. In any case where a Major Use Permit has not been used within one (1) year after the date of granting thereof, then without further action by the Planning Commission the use permit granted shall be null and void.

D. Appeal

Appeal from any finding or action of the Planning Commission may be made in writing to the City Council within ten (10) days from the date of the Commission's action. Such application shall be accompanied by a fee in an amount as established from time to time by resolution of the City Council.

E. Whenever a Major Use Permit is granted, the County Assessor shall be so notified within thirty days of such action.

Sec 33.02: Minor or Administrative Use Permits

Minor Use Permits, which may be revocable, conditional or valid for a term period, may be issued by the Planning Director for any of the uses or purposes for which such permits are required or permitted by the terms of this Ordinance. Guarantees to insure compliance with terms and conditions may be required by the Director.

A. Minor Use Permit Application and Fee

1. Application for a Minor Use Permit shall be made to the City Planning Department in writing on a form prescribed by the City and shall be accompanied by plans and elevations necessary to show details of the proposed use or building. Such application shall be accompanied by a fee in an amount as established from time to time by resolution of the City Council.

2. The Planning Director shall hold a Administrative Hearing within sixty (60) days after filing of an application for a Minor Use Permit, notice of which shall be given by one publication in a newspaper of general circulation published in the City of Colusa and by mailing notice to the applicant and owners of all property within three hundred (300) feet of any boundary of the lot or parcel for which the Minor Use Permit has been filed, as such owners are shown on the last equalized assessment roll of the County of Colusa. Notice in each case to be given at least ten (10) days prior to such hearing for Categorically Exempt applications under CEQA, and twenty-one (21) days for application for Negative Declaration and/or Environmental Impact Reports prior to such hearing.

B. Action by the Planning Director

1. The findings of the Planning Director shall be that the establishment, maintenance or operation of the use or building applied for will or will not, under the circumstances of the particular case, be detrimental to the health, safety, peace, morals, comfort and general welfare of persons residing or working in the neighborhood of such proposed use, or to be

detrimental or injurious to property and improvements in the neighborhood or to the general welfare of the City.

C. Revocation

1. In any case where the conditions of the granting of a Minor Use Permit have not been, or are not, complied with, the Planning Director shall give notice to the permittee of intention to revoke such permit at least ten (10) days prior to a hearing thereon. Following such hearing the Planning Director may revoke such permit.

2. In any case where a Minor Use Permit has not been used within one (1) year after the date of granting thereof, then without further action by the Planning Director said permit granted shall be null and void.

D. Appeal

Appeal from any finding of action of the Planning Director may be made in writing to the City Planning Commission within ten (10) days from the date of the Director's action. Such application shall be accompanied by a fee in an amount as established from time to time by resolution of the City Council.

Appeal from any finding or action of the Planning Commission may be made in writing to the City Council within ten (10) days from the date of the Commission's action. Such application shall be accompanied by a fee in an amount as established from time to time by resolution of the City Council.

E. Whenever a Minor Use Permit is granted, the County Assessor shall be so notified within thirty days of such action.

2. After making findings the Planning Commission shall either approve, with or without conditions, or deny said variance.

C. Appeal

Appeal from any such action of the Planning Commission may be made in writing to the City Council within ten (10) days from the date of the Planning Commission's action. Such application shall be accompanied by a fee in an amount as established from time to time by resolution of the City Council.

D. Revocation

1. In any case where the conditions to granting of a variance have not, or are not, complied with, the Planning Commission shall give notice to the permittee of intention to revoke such variance at least ten (10) days prior to a hearing thereon. After conclusion of the hearing, the Commission may revoke such variance.

2. In any case where a variance has not been used within one (1) year after the date of granting thereof, then without further notice or action by the Planning Commission, the variance granted shall be null and void.

E. Whenever a variance is granted, the County Assessor shall be so notified within thirty (30) days of such action.

ARTICLE 35

NON-CONFORMING USES

Sec. 35.01

A. The lawful use of the land existing at the time of the passage of this Ordinance, although such use does not conform to the provisions hereof, may be continued, provided, however, that non-conforming commercial and industrial uses operated on open land not accessory to a permanent building on the site may be continued for a period not longer than five (5) years after such uses become non-conforming.

B. In all "R" Districts, every non-conforming building or structure which was designed, arranged or intended for a use permitted only in districts other than "R" Districts shall be completely removed, or altered and converted to a conforming building, structure or use when such buildings or structures have reached or may hereafter reach, the ages hereinafter specified, computed from the date the building was erected. In the case of buildings defined in the Building Code effective in the City at the effective date of this Ordinance: Class I and II, forty (40) years; Class III and VI, thirty (30) years; Class V, twenty (20) years. Provided, however, that this regulation shall not become operative until twenty (20) years from the effective date of this Article.

C. If any non-conforming use is abandoned or discontinued for any reason, subsequent use of such land shall be in conformity with the provisions of this Ordinance. The discontinuance of a non-conforming use for a period of six months or more is, in itself prima-facie evidence of abandonment.

Sec. 35.02

If no external structural alternations are made, a non-conforming use of a building may be changed to another non-conforming use of the same or more restricted classification.

Sec. 35.03

Except in cases where a use permit is approved, no existing building designed, arranged or intended for or devoted to a use not permitted under the regulations of this Ordinance for the district in which such building or premises is located shall be enlarged, extended, reconstructed or structurally altered, unless such use is changed to a use permitted under the regulations specified by this Ordinance for such district in which said building is located; provided, however, that authorized maintenance shall be permitted not exceeding a total amount, during a period of five (5) years, or fifty (50) percent of the assessed value of the building according to the assessments thereof by the Assessor of the City.

Sec. 35.04

Except in cases where a use permit is approved any building in existence or maintained at the time of the adoption of this Ordinance which does not conform to the regulations for the district in which it is located which is destroyed by fire, explosion, Act of God, or act of the

public enemy to the extent of more than one-half the value thereof, then and without further action by the City Council the said building and the land on which said building was located or maintained shall from and after the date of such destruction be subject to all the regulations of the district in which such land and/or building is located. For the purposes of this Ordinance, the value of any building shall be estimated cost of the replacement of the building in kind, as determined by the Building Inspector.

Sec. 35.05

The foregoing provisions shall also apply to non-conforming uses in districts hereafter changed or established and any time limit for the suspension of a non-conforming use of land shall date from the date of the enactment of this Ordinance or any amendment of district boundaries which first creates a non-conforming use or uses.

1. Upon receipt of a written petition or one or more property owners requesting a change in zoning which is filed with the Planning Director together with a filing fee in an amount as established from time to time by resolution of the City Council, or upon action of the City Council or the Planning Commission to make a change of zoning or an amendment to any ordinance, board, the Planning Commission shall hold a public hearing on such proposed rezoning or amendment.

2. Notice of the time and place of the public hearing, including a general explanation of the matter to be considered and a general description of the area affected, shall be given at least ten (10) calendar days before the hearing date by one publication in a newspaper of general circulation published and circulated in the City of Columbus, and by first class mail to all owners of real property all shown on the last equalized assessment roll within three hundred (300) feet of property which is the subject of the proposed zone change, or otherwise per Government Code Section 85154.

3. In addition to notice by publication the City may give notice of the hearing in such other manner as it may deem necessary or desirable.

4. After the hearing, the Planning Commission shall advise its decision in the form of a written recommendation to the City Council, including reasons and findings in support of the recommendation.

5. Upon receipt of the Planning Commission recommendation the City Council shall hold a public hearing, notice of which shall be given as provided by Sec. 35.04-2.

6. Any hearing provided for in this Section may be continued from time to time.

7. The City Council may approve, modify or disapprove the recommendation of the Planning Commission, provided that any modification of the proposed amendment by the City Council shall first be referred to the Planning Commission for report and recommendation. No further hearings need to be held, and action of the Planning

ARTICLE 36

AMENDMENTS, ALTERATIONS, CHANGES IN DISTRICTS

Sec. 36.01

A. This Ordinance may be amended by changing any of the provisions thereof whenever the public necessity and convenience and the general welfare require such amendment.

B. Any amendment to this Ordinance may be adopted as other ordinances are adopted, except that:

Any amendment that changes any property from one zone to another or imposes any regulation not heretofore imposed or removes or modifies any regulation heretofore imposed shall be adopted as follows:

1. Upon receipt of a written petition of one or more property owners requesting a change in zoning which is filed with the Planning Director together with a filing fee in an amount as established from time to time by resolution of the City Council; or upon action of the City Council or the Planning Commission to initiate a change of zoning or an amendment to any regulations hereof, the Planning Commission shall hold a public hearing on such proposed rezoning or amendment.

2. Notice of the time and place of the public hearing, including a general explanation of the matter to be considered and a general description of the area affected, shall be given at least ten (10) calendar days before the hearing date by one publication in a newspaper of general circulation, published and circulated in the City of Colusa, and by first class mail to all owners of real property as shown on the last equalized assessment roll within three hundred (300) feet of property which is the subject of the proposed zone change, or otherwise per Government Code Section 65854.

3. In addition to notice by publication the City may give notice of the hearing in such other manner as it may deem necessary or desirable.

4. After the hearing, the Planning Commission shall render its decision in the form of a written recommendation to the City Council, including reasons and findings in support of the recommendation.

5. Upon receipt of the Planning Commission recommendation the City Council shall hold a public hearing, notice of which shall be given as provided by Sec. 36.01-B-2.

6. Any hearing provided for in this Section may be continued from time to time.

7. The City Council may approve, modify or disapprove the recommendation of the Planning Commission, provided that any modification of the proposed amendment by the City Council shall first be referred to the Planning Commission for report and recommendation. No further hearings need to be held, and failure of the Planning

Commission to report within forty (40) days after the reference shall be deemed to be approval of the proposed modification.

C. Whenever a change of zoning of any property is adopted, the County Assessor shall be so notified within thirty (30) days of such action.

Sec. 37.02

It shall be the duty of the Planning Director and of the officers of the City to enforce and observe charged by law with the enforcement of ordinances of the City to enforce this Ordinance and all provisions of the same.

Sec. 37.03

Any person, firm or corporation who or which shall be guilty of a violation of any of the provisions of this Ordinance shall be guilty of a misdemeanor and punishable as such, and shall be deemed to be guilty of a separate offense for each and every day during any portion of which any violation of this Ordinance is committed, continuing as provided by such person, firm or corporation.

Sec. 37.04

Any building or structure, built, moved or maintained in violation of any provision of this Ordinance shall be and the same is hereby declared to be unlawful and a public nuisance and the City Attorney shall within sixty (60) days from date of notice commence proceedings for the abatement, removal and destruction thereof in the manner provided by law and shall take such other steps and shall apply to such court or courts as may have jurisdiction to grant such relief as will abate and remove such building or use and restrain and enjoin any persons, firms or corporations from selling, leasing, building, moving or maintaining any such building or using any property contrary to the provisions of this Ordinance.

Sec. 37.05

All remedies provided for herein shall be cumulative and not exclusive.

ARTICLE 37

ENFORCEMENT, LEGAL PROCEDURE, PENALTIES

Sec. 37.01

All departments, officials and public employees of the City which are vested with the duty or authority to issue permits or license shall conform to the provisions of this Ordinance and shall issue no such permit or license for uses, buildings, purposes where the same would be in conflict with the provisions of this Ordinance.

Sec. 37.02

It shall be the duty of the Planning Director and of the Officers of the City herein and/or otherwise charged by law with the enforcement of ordinances of the City to enforce this Ordinance and all provisions of the same.

Sec. 37.03

Any person, firm, or corporation whether as principal, agent, employee or otherwise, violating any of the provisions of this Ordinance shall be guilty of a misdemeanor and punishable as such, and shall be deemed to be guilty of a separate offense for each, and every day during any portion of which any violation of this Ordinance is committed, continued or permitted by such person, firm or corporation.

Sec. 37.04

Any building set up, erected, built, moved or maintained and/or any use of property contrary to the provisions of this Ordinance shall be and the same is hereby declared to be unlawful and a public nuisance and the City Attorney shall within thirty (30) days from date of notice, commence proceedings for the abatement, removal and enjoinder thereof in the manner provided by law and shall take such other steps and shall apply to such court or courts as may have jurisdiction to grant such relief as will abate and remove such building or use and restrain and enjoin any persons, firm, or corporation from setting up, erecting, building, moving or maintaining any such building or using any property contrary to the provisions of this Ordinance.

Sec. 37.05

All remedies provided for herein shall be cumulative and not exclusive.

ARTICLE 38 REPEALING

Ordinances No. 191, 214, 218, 221, 230, 232, 242, 243, 254, 255, 263, 266, 269, 270, 275, 276, 291, 302, 303, 304, 305, 306, 309, 314, 317, 320, 321, 323, 324, 326, 337, 339, 343, 344, 352, 353, 363, 368, 369, 371, 375, 385, 388 and all other ordinances of the City of Colusa inconsistent herewith, to the extent of their inconsistency and no further, are hereby repealed, provided that foregoing repeal as in this section provided, shall not affect the prosecution of any person, firm or corporation that has violated or may hereafter violate any of the provisions were substantially the same as in this Ordinance. The intention of the City Council in enacting this Ordinance is that it shall supersede other ordinances referring to the same subject as this Ordinance, but no reference in any previous ordinance to another ordinance containing provisions now substantially incorporated in this Ordinance shall become void.

ARTICLE 39 VALIDITY

If any section, subsection, sentence, clause or phrase of this Ordinance is for any reason held by a court of competent jurisdiction to be invalid, such decision shall not affect the validity of the remaining portions of this Ordinance and each section, subsection, sentence, clause or phrase thereof irrespective of the fact that one or more section, subsection, sentence, clause and phrase be declared invalid.

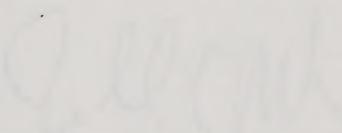
AYES: Thomas, Jernard, Davis, O'Brien, Miller

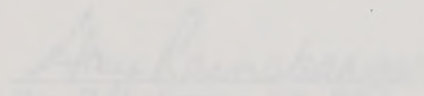
NOES: None

ABSENT: None

ATTEST

APPROVED AS TO FORM


Todd A. Miller, City Attorney


Amy R. Hunsicker, City Clerk

ARTICLE 40 ENACTMENT

Sec. 40.01 Effective Date

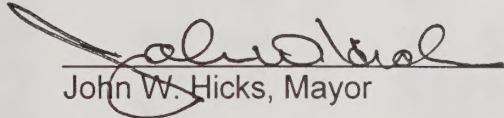
This ordinance shall become effective thirty (30) days from and after the date of its adoption.

The foregoing ordinance was introduced, a reading thereof being waived in accordance with the law, at an adjourned regular meeting of the City Council of the City of Colusa, held on the 21st day of September 1999, and the same was passed and adopted at a regular meeting thereof held on the 5th day of October 1999 by the following roll call vote:

AYES: Winters, Jaconetti, Evans, Crippen, Hicks

NOES: None

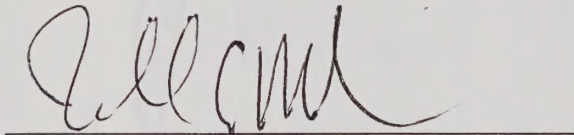
ABSENT: None

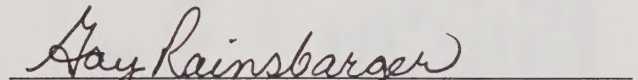


John W. Hicks, Mayor

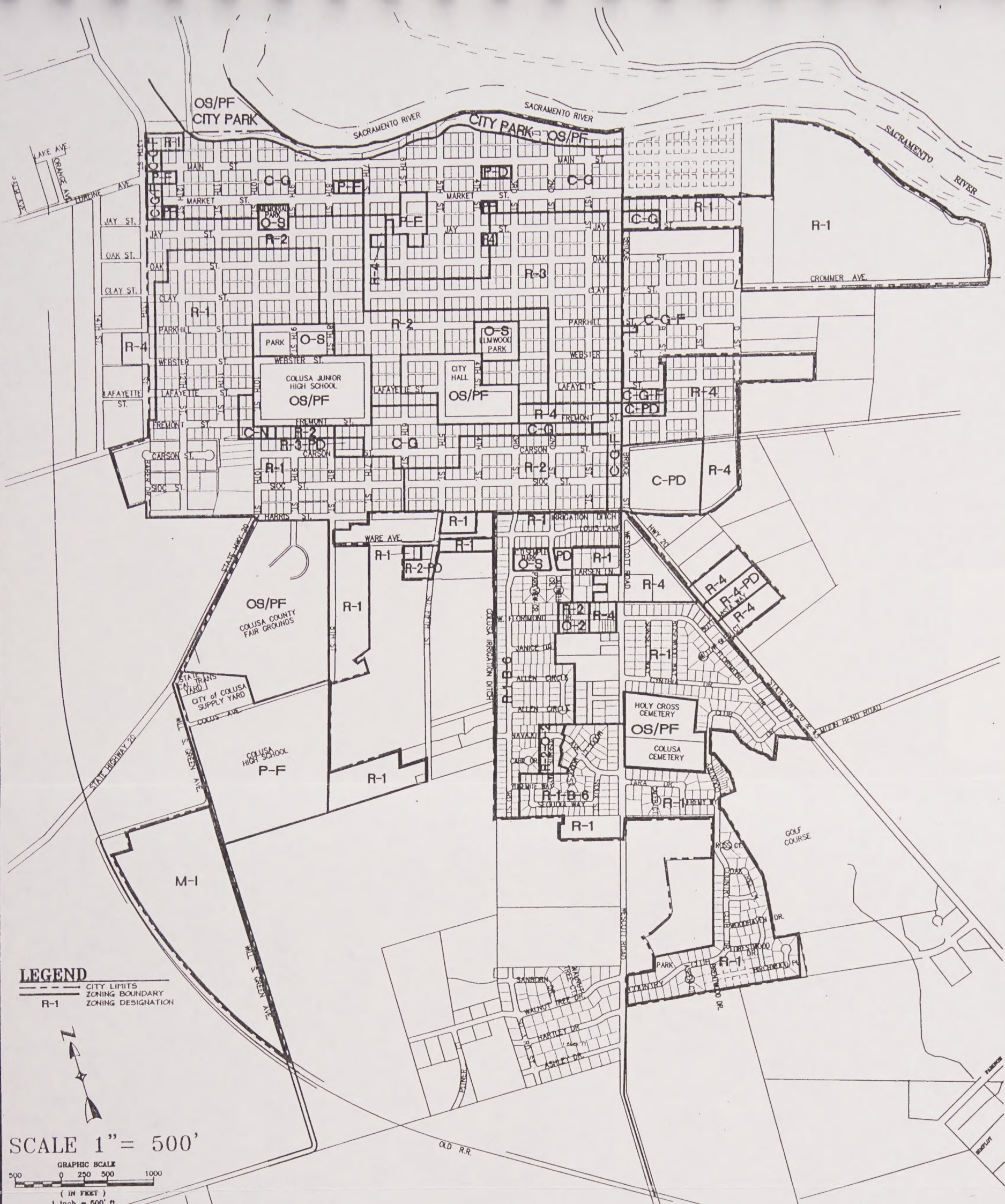
APPROVED AS TO FORM:

ATTEST:



Tedd A. Mehr, City Attorney

Gay Rainsbarger, City Clerk



CITY of COLUSA ZONING MAP

ADOPTED BY ORDINANCE NO. 403 ON OCTOBER 5th, 1999 AS THE OFFICIAL ZONING MAP OF THE CITY OF COLUSA.

ZONING DISTRICTS

- R-1 SINGLE-FAMILY RESIDENCE DISTRICT
- R-1-B-6 SINGLE-FAMILY RESIDENCE 8,000 SQ.FT. MINIMUM
- R-2 TWO-FAMILY RESIDENCE DISTRICT
- R-2-O-2 TWO-FAMILY RESIDENCE DMDDED OWNERSHIP
- R-3 NEIGHBORHOOD APARTMENT DISTRICT
- R-4 GENERAL APARTMENT DISTRICT
- C-N NEIGHBORHOOD BUSINESS DISTRICT
- C-G GENERAL COMMERCIAL DISTRICT

ZONING DISTRICTS

- C-G-F GENERAL COMMERCIAL DISTRICT HWY FRONTAGE
- C-H HIGHWAY SERVICE COMMERCIAL DISTRICT
- M-1 LIGHT INDUSTRIAL DISTRICT
- M-2 GENERAL INDUSTRIAL DISTRICT
- M-L LIMITED INDUSTRIAL DISTRICT
- P-D PLANNED DEVELOPMENT DISTRICT
- P-F PUBLIC FACILITIES DISTRICT
- O-S OPEN SPACE DISTRICT
- F-W FLOODWAY DISTRICT

SPECIAL COMBINING DISTRICTS

- A AGRICULTURAL COMBINING DISTRICT
- B SPECIAL BUILDING SITE COMBINING DISTRICT
- CD SPECIAL CMC DISTRICT COMBINING DISTRICT
- F SPECIAL HIGHWAY FRONTAGE COMBINING DISTRICT
- FP FLOOD PLAIN COMBINING DISTRICT
- H SPECIAL HEIGHT COMBINING DISTRICT
- P SPECIAL PARKING COMBINING DISTRICT
- O SPECIAL DMDDED OWNERSHIP DISTRICT
- AO SPECIAL ADULT-ORIENTED COMBINING DISTRICT



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